

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, Twp. Clerk

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of May 15, 2013.

Corrections to Regular Minutes: P. 6 under Mayor’s Report, item 1, third sentence, change \$100.00 to \$1,000.00. Item 7 replace comma with period.

Correction to Executive Session Minutes to be done in Executive Session.

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

6. VISITORS

- William Malenchek, 344 Shannon St. Lopatcong, NJ. seeking Committee’s approval to host a car show at the property located on the corner of 176 Route 173 West and Strotz Road, Block 4, Lot 2. Mr. Malenchek gave a presentation of the proposed American Classic Car show on August 11, 2013 from 12:00 to 6:00 p.m. Committee asked specific questions about the event. Mr. Josh Kohn will provide our Attorney with their accountant’s contact information.

Mr. Hirt arrived at 7:10 p.m.

Motion: To permit this one-day event subject to securing all other necessary governmental approvals, whatever they may be. Also subject to supplying the Township with liability insurance in the form and amount that is acceptable to the Attorney naming the Township as an additional insured.

MINUTES OF REGULAR MEETING June 5, 2013

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

Motion carried

7. REPORTS RECEIVED

- a. Dept. of Roads & Facilities- Week Ending 05/10/13; 5/17/13; 5/24/13
- b. Zoning – May 2013
- c. Finance Report
- d. OEM Report – June 2013
- e. Engineer’s Report - None

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Hirt reported the following correspondence: None

Mr. Severino reported the following correspondence:

- NJ SADC Re: NJ Farmland Preservation Program-Block 12, Lot 1.01 – 11 acre parcel on SR 173 for farmland preservation. The Mayor, with the Committee’s approval will reply to the letter.

Motion: Authorize the Mayor to reply to the letter after consulting with the Municipal Engineer.

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

Mr. Mazza reported the following correspondence:

- Asked Tom Cannan about purchasing GPS units for Roads Dept. Mayor spoke with CFO about acquiring a Walmart credit card with a \$500.00 limit to allow purchase at discounted price.

Motion: To grant the CFO the ability to acquire a limited cash credit card from Walmart for the Road Foreman.

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

- Mayor’s Advisory Re: CDC Releases Final West Nile Virus National Surveillance Data for 2012. Information for the public concerning measures to take to avoid mosquitoes and West Nile Virus.

Ms. McBride reported the following correspondence:

- PAIC re: PAIC Survey of Township Facilities and Playground. A discussion of modifications and recommendations to the play areas.
- Mayor’s Advisory Re: Property Tax in New Jersey: A Short & Simple Glimpse Updated by NJLM. Suggested that it be linked to our website.
- Clarke Caton Hintz Re: Pilot Travel Center, LLC Site Inspection. Our sub-committee will negotiate with Pilot about replacing the plant material in the detention pond.
- COAH Re: Affordable Housing Trust Fund Moneys. I sent the Committee a draft copy of my reply.

Motion: To accept the letter written by the Mayor as a reply to the COAH correspondence.

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

Motion carried

9. PUBLIC COMMENTS

10. PUBLIC HEARING

ORDINANCE #2013 - 4

AN ORDINANCE APPROPRIATING THE SUM OF \$6,580.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY FOR THE REPLACEMENT OF THE ENTRANCE SIDEWALK OF THE MUNICIPAL BUILDING

Motion to Open Public Hearing

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

Motion carried by unanimous favorable vote

Motion to Close Public Hearing

Voice 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 vote.

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

10. OLD BUSINESS

11. NEW ORDINANCE – 1ST Reading

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 5 day of June, 2013. 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 17 day of July, 2013, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

Ella M. Ruta, Clerk

ORDINANCE 2013-5

**AN ORDINANCE OF THE TOWNSHIP OF UNION,
HUNTERDON COUNTY, NEW JERSEY AMENDING THE LAND USE CODE OF THE TOWNSHIP
OF UNION REGARDING
THE KEEPING OF CHICKENS ON RESIDENTIAL PROPERTIES
(LAND USE AMENDMENT #80)**

WHEREAS, changing societal attitudes have caused a re-evaluation of the Township’s regulations restricting the keeping of chickens in residential areas; and

WHEREAS, the Union Township Planning Board has conducted a hearing on the above issue including testimony from individuals experienced in the raising and care of poultry, and the Planning Board has recommended that the Township Committee amend Union Township’s land use regulations to permit maintaining of limited numbers of chickens in residential areas, subject to certain conditions and restrictions, and good cause appearing;

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 the Land Use Code of the Township of Union, Chapter 30-5, Use Regulations, is hereby amended as follows:

30-5.5 Use Regulations. Amend subsections a.1.(c), a.1.(d), and a.1.(e) and add subsections a.1.(f), and a.1.(g), as follows:

MINUTES OF REGULAR MEETING June 5, 2013

(c) Livestock. The keeping of livestock and horses shall be limited to lots of at least 3 acres and shall be limited to one (1) head of livestock or horse per acre. Riding academies, livery or boarding stables, commercial dog kennels, and the raising of fur bearing animals are not included in this provision and must meet the requirements of paragraph 4. or 5. herein.

(d) Chickens. The keeping of chickens shall be limited to fifty (50) chickens per acre on lots of five (5) or more acres. Chickens may be kept and maintained on residential lots of less than five (5) acres, provided a zoning permit is first obtained from the Zoning Officer, and subject to the requirements applicable to chicken coop structures set forth in subsection 30-5.5h.2.(g), and subject to the following additional conditions and requirements:

1. A maximum of six (6) chickens may be kept on a residential lot of up to one (1) acre.
2. A maximum of ten (10) chickens may be kept on a residential lot of one (1) or more but less than three (3) acres.
3. A maximum of fifteen (15) chickens may be kept on a residential lot of three (3) or more but less than five (5) acres.
4. No person shall keep a rooster on any residential lot of less than five (5) acres in the Township of Union.
5. A copy of the property survey shall be submitted with the zoning application showing the dimensions and construction details of the proposed chicken coop structure and the location thereof on the subject property in conformance with subsection 30-5.5h.2.(g) of the Land Use Code.
6. The Zoning Officer shall have the right to periodically inspect the premises to ascertain compliance with the terms of this Section and other applicable standards. Any violation of these and other applicable standards shall be grounds for the revocation of the Zoning Permit permitting the keeping and maintenance of chickens.
7. Chickens shall be kept and maintained at all times in a humane manner and in accordance with good agricultural practices.

(e) Commercial farms. None of the provisions of this chapter shall in any way prevent farmers from carrying on the normal operation of their commercial farms in accordance with the Right to Farm Act, [N.J.S.A. 4:1C-1](#) et seq., as amended.

(f) Such use does not include landscape contracting.

(e) Parking. No less than two (2) off-street parking spaces per dwelling unit and one (1) space per two (2) employees.

30-5.5h.2. H-2 Residential Accessory Structure(s). Add subsection 30-5.5h.2.(g), as follows:

(g)

1. Chickens, as permitted under Subsection 30-5.5 (d), shall be kept in a roofed shelter or coop which shall provide a minimum of two (2) square feet per adult bird, and shall also include a chicken run that provides a minimum of four (4) square feet per adult bird.

2. Chicken coops and runs shall be located in the rear yard of the property and within the required building envelope for the principal building. Moreover, the entirety of any chicken coop and run shall be placed closer to the dwelling on the lot in question than to the dwelling(s) on any adjoining lot(s). In no case shall any chicken coop or run be located within twenty-five (25) feet of any dwelling on an adjoining lot.
3. All chickens shall be kept in the chicken shelter or coop or attached fenced run at all times.
4. The fence surrounding the chicken run shall be securely constructed with a wire or mesh type of material and shall have protective overhead netting sufficient to keep the chickens separated from other animals.
5. The fenced chicken run shall be well drained so that there is no accumulation of moisture. The floors and walls of the chicken shelter or coop shall be kept in a clean and sanitary condition, with all droppings collected at least weekly. Droppings shall be kept in a covered durable non-porous container until composted, applied as fertilizer or transported off-premises.
6. All chicken feed shall be kept in a secure covered metal container.

- I. 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 or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.
- II. Repealer.** All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.
- III. Effective Date.** This Ordinance shall take effect after final passage, adoption and publication according to law.

Attest:

Ella M. Ruta, Clerk

Michele A. McBride, Mayor

First Reading: June 5, 2013
 Publication: June 13, 2013
 Public Hearing/Adoption: July 17, 2013
 Published by: July 25, 2013

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

12. NEW BUSINESS

- a. Following resolution introduced for adoption:

**RESOLUTION #2013-72
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 **2012** 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 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	X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

b. Following resolution introduced for adoption:

**RESOLUTION #2013-73
Corrective Action Plan**

WHEREAS, the Annual Audit Report for the year 2012, 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 2012 Audit is hereby approved and adopted.

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

Motion carried

c. Following resolution introduced for adoption:

**RESOLUTION #2013-74
UNION TOWNSHIP, HUNTERDON COUNTY
2013-2014 PLENARY RETAIL CONSUMPTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union to be effective on July 1, 2013; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to execute, issue and delivery such license to the following licensee:

Name & Trade Name: Dawnglow Inc.
t/a Hunterdon Hills Playhouse

Location & Mailing Address: 88 Rte. 173 West
Hampton, New Jersey 08827

License #: 1025-33-003-003

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

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

d. Following resolution introduced for adoption:

**RESOLUTION #2013-75
UNION TOWNSHIP, HUNTERDON COUNTY
2013-2014 PLENARY RETAIL DISTRIBUTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Distribution License be issued in the Township of Union to be effective on July 1, 2013; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to execute, issue and delivery such license to the following licensee:

Name & Trade Name: Joseph V. Martin, Jr., Inc.
t/a Perryville Wine & Spirits

Location & Mailing Address: 72 Rte. 173 West
Hampton, New Jersey 08827

License #: 1025-44-008-003

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

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

e. Following resolution introduced for adoption:

**RESOLUTION #2013-76
UNION TOWNSHIP, HUNTERDON COUNTY
2013-2014 PLENARY RETAIL CONSUMPTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union to be effective on July 1, 2013; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to execute, issue and delivery such license to the following licensee:

Name & Trade Name: Grand Colonial LLC
t/a The Grand Colonial

Location & Mailing Address: 86 West Highway 173
Hampton, New Jersey 08827

License #: 1025-33-002-006

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

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

f. Following resolution introduced for adoption:

**RESOLUTION #2013-77
UNION TOWNSHIP; HUNTERDON COUNTY**

**2013-2014 PLENARY RETAIL CONSUMPTION LICENSE; with Conditions
Total Dynamic Hospitality LLC t/a Pattenburg House**

BE IT RESOLVED, by the Township Committee of the township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union effective July 1, 2013 and

BE IT FURTHER RESOLVED that the Municipal Clerk, or her duly authorized agent, is hereby authorized to execute, issue and deliver such license to the following licensee with the Special Conditions noted below:

NAME & TRADE NAME: Total Dynamic Hospitality LLC
t/a Pattenburg House

LOCATION & ADDRESS: 512 County Road 614
Asbury, NJ 08802

LICENSE NUMBER: 1025-33-004-009

- Special Conditions:
1. All doors and windows, in the building, must be closed while music, live or recorded, is being played.
 2. Live music shall not be played within the confines of the building at any other time than Thursday, Friday, Saturday or Sunday.

3. The petitioner shall provide a security person on all dates and at all times that live music is being played at the licensed premises.
4. The patio and deck adjacent to the Pattenburg House may be utilized for lunches and dinners with the deck and patio to be closed and all patrons removed therefrom by 10:00 p.m. every evening. All food orders and service shall terminate by 9:00 p.m. each evening.
5. The Pattenburg House is limited to 92 seats (persons to be served) and such patron count shall not be increased in the utilization of the patio and deck and the total seating capacity for service of patrons shall be 92 seats, including the patio, deck and restaurant/bar areas of the Pattenburg House.
6. The only egress onto the patio and deck area after 10:00 p.m. shall be for “emergency exit” purposes only, and the outside gate to the deck shall be locked after 10:00 p.m. so that no entrance can be gained to the patio and deck area.
7. The door to the deck and patio area from inside the Pattenburg House shall be clearly marked as an emergency door.
8. The front door of the Pattenburg House shall not be propped or maintained in an open condition at any time that entertainment is performing.
9. The parking lot will be striped.

BE IT RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

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

- g. Following resolution introduced for adoption:

**RESOLUTION #2013-78
UNION TOWNSHIP, HUNTERDON COUNTY
2013-2014 PLENARY RETAIL CONSUMPTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union to be effective on July 1, 2013; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to execute, issue and delivery such license to the following licensee:

Name & Trade Name: Myriel Restaurant LLC
t/a Clinton Station Diner

Location & Mailing Address: 8 Route 173 West, Clinton, NJ 08809
301 County Route 639, Bloomsbury, NJ 08804

License #: 1025-33-007-009

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

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

h. Following resolution introduced for adoption:

**RESOLUTION #2013-79
UNION TOWNSHIP, HUNTERDON COUNTY
2013-2014 PLENARY RETAIL CONSUMPTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union to be effective on July 1, 2013; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to execute, issue and delivery such license to the following licensee:

Name & Trade Name: Gatanis & Fokas Foods Inc.
t/a Mountain View Chalet

Location & Mailing Address: 154 State Rte. 173 West
Asbury, New Jersey 08802

License #: 1025-33-005-004

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

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

i. Following resolution introduced for adoption:

RESOLUTION #2013-80

TOWNSHIP OF UNION, HUNTERDON COUNTY, NJ

**RESOLUTION OPPOSING JERSEY CENTRAL POWER & LIGHT COMPANY
PETITION FOR A RATE INCREASE**

WHEREAS, Jersey Central Power & Light Company is a public utility subject to the jurisdiction of the New Jersey Board of Public Utilities and bound by the BPU’s rules, regulations and policies, as well as all applicable requirements of the New Jersey Administrative Code, which specifically address electrical utilities, plants, facilities and services; and

WHEREAS, JCP&L filed a Petition with the BPU for a rate increase; and

WHEREAS, the Township of Union suffered a 92% power outage and it remained largely out for 12 days; and

WHEREAS, the residents of the Township of Union suffered significant hardships especially to minor and senior residents; and

WHEREAS, the residents of the Township of Union lost income and other monetary items and were subjected to higher levels of stress,

WHEREAS, because of the burden the loss of electricity caused the Township of Union residents during Irene and Sandy, the Township Committee opposes any rate increase to JCP&L and calls upon the Division of Rate Counsel to oppose the rate increase on behalf of Township residents.

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, opposes any rate increase request by JCP&L and that the Division of Rate Counsel oppose the rate increase on behalf of the Township residents; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to BPU President Robert Hanna, Board of Public Utilities Commissioners, Division of Rate Counsel, Legislators representing this Legislative District, all Hunterdon County Municipalities and the NJ State League of Municipalities.

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

j. Following resolution introduced for adoption:

**TOWNSHIP OF UNION
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**RESOLUTION #2013-81
STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM
ENABLING RESOLUTION
PROJECT NO. 1025-02-075**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Union has previously obtained a grant of \$2,632,527 from the State to fund the following project(s):

Project Number 1025-02-075 Union Township Open Space Plan

WHEREAS, the State and Township of Union intend to increase Green Acres funding by \$325,000; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED BY THE Township Committee of the Township of Union, Hunterdon County, New Jersey: THAT:

1. The Mayor of the above-named body or board is hereby authorized to execute an agreement and any amendment thereto with the State known as Union Township Open Space Plan, and;
2. The applicant has its matching share of the project, if a match is required, in the amount of \$325,000, and;
3. In the event the State’s funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project, and;
5. This resolution shall take effect immediately.

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

k. Following resolution introduced for adoption:

RESOLUTION 2013-82

**ESCROW REFUND
Tricia Garanzini, 29 Wyckoff Drive
Pittstown, New Jersey 08867**

WHEREAS, Tricia Garanzini did post an escrow account for construction of a pool, and

WHEREAS, the work and inspections are complete and all invoices have been paid,

WHEREAS, there is a remaining balance of \$500.00 in the escrow account

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$500.00 be refunded to Tricia Garanzini.

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

Motion carried

- 1. Following resolution introduced for adoption:

RESOLUTION 2013-83

**ESCROW REFUND
Pizzo, Pizzo and Heitz, LLC, 1065 Route 22 West
Bridgewater, New Jersey 08807**

WHEREAS, Pizzo, Pizzo and Heitz, LLC did post an escrow account for a board application, and

WHEREAS, the application was finalized, and all escrow invoices have been paid,

WHEREAS, there is a remaining balance of \$549.88 in the escrow account

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$549.88 be refunded to Pizzo, Pizzo and Heitz, LLC.

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

Motion carried

- m. **Motion to Approve:** NJ State Firemen’s Association Membership Application for Donald G. Van Fossen

Tabled for next meeting.

- n. **Motion to Approve:** Pony Rides at the Finn Road Park on June 22, 2013

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 1) the required insurance certificate naming Union Township as additional insured, 2) any fees that may or may not be applicable, 3) clearance from the Recreation Committee as to where the ponies will be utilized so that they will not interfere with or damage any ball fields, and 4) clean up.

13. REPORTS

a. **Attorney’s Report**

- Atty. Jost presented the following ordinance to the Committee and said that it could be introduced tonight if Committee agrees. Committee agreed to introduce the following ordinance on the first reading:

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 5 day of June, 2013. 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 17 day of July, 2013 at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

Ella M. Ruta, RMC, Municipal Clerk

ORDINANCE NO. 2013-6

**AN ORDINANCE SUPPLEMENTING AND AMENDING
CHAPTER VII, SECTION 7-9, OF THE CODE OF THE TOWNSHIP OF UNION, PROHIBITING
STOPPING OR STANDING OF VEHICLES ON A PORTION OF PITTSTOWN-CLINTON
ROAD/COUNTY ROAD 513 IN THE TOWNSHIP OF UNION, HUNTERDON COUNTY NEW JERSEY**

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 VII, Traffic, Section 7-9, of the Revised General Ordinances of the Township of Union, is hereby amended as follows (additions underlined):

- I. **7-9 STOPPING OR STANDING PROHIBITED ON CERTAIN STREETS.** No person shall stop or stand a vehicle at any time on any of the streets or parts of streets described, except for pick-ups and deliveries, contractor vehicles engaged in construction, repairs or maintenance of buildings, trees or vegetation on the adjoining property, or governmental and public utility vehicles engaged on official business.

MINUTES OF REGULAR MEETING June 5, 2013

Name of Street(s)	Side(s)	Locations
Perryville Road	Both	Entire Length
Frontage Road	Both	Entire Length
Mechlin's Corner Road/CR 625	Both	Entire Length
Charlestown Road/CR 635	Both	From NJ Rt.-173 Intersection to southern leg of Van Syckel's Road Intersection
Van Syckel's Road	Both	Entire Length
<u>Pittstown-Clinton Road/CR 513</u>	<u>Westerly</u> <u>(Southbound)</u>	<u>From the center line of Loyalist</u> <u>Way to 300 feet north</u>

II. Regulatory and warning signs shall be erected and maintained to effect the above designated No Stopping or Standing zones. All signing shall conform to the current Manual on Uniform Traffic Control Devices (MUTCD).

III. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

IV. All ordinances or parts of ordinances of the Township of Union heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

V. This Ordinance shall take effect immediately upon final passage and publication according to law.

Attest:

Ella M. Ruta, RMC
Municipal Clerk

Michele A. McBride, Mayor

First Reading: June 5, 2013
 Publication: June 13, 2013
 Public Hearing/Adoption: July 17, 2013
 Published by: July 25, 2013

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

- Employee Manual. In April resolutions were adopted to make certain changes to the Personnel Manual. In reviewing the manual, there are some other issues raised by members of the staff. I suggested to the Mayor that we have a workshop meeting before we disseminate the revised personnel manual to check these other issues, make those changes and then disseminate it. Mr. Bischoff added to the review group.
- Items for Executive Session

b. Committee Report

Mr. Mazza reported the following:

- Old garage. Contacted the man who built the 3-car garage behind this building and he quoted a price of \$26.00 per sq. ft. Committee discussed alternatives and will make a decision at next meeting.
- We received the new Kubota Mower at the park.
- We have three trucks in bad condition which should be taken off the road and replaced with a newer truck for use by the Dept. of Roads and Facilities. Maybe we can auction off the trucks. Mayor agreed it is a good idea and maybe we can add other items for auction. I will talk to Craig Hermann.
- I observed the State Police on the exit 12 ramp heading eastbound at 5:20 a.m. writing parking tickets for tractor-trailers.
- Mayor asked me to follow up with Jack Hara on online processing for recreation fees.
- Mayor asked if the shed in the recycling area will be moved. I responded as soon as we find a spot for it.

Mr. Severino reported the following:

- 2012 Recycling report been submitted to Alan Dilly of Franklin Township for his certification. We are up in tonnage from last year. Electronics and regular recycling after Super Storm Sandy led to an increase for 2012.
- I would like to make a decision tonight regarding electronic recycling. We have three options: 1) DonJon – pay them 30 cents per pound, 2) Advance Recovery - leave a 30 ft. container here and charge us \$650.00 flat out to come and take the container, 3) Newtech Recycling, Inc. is willing to do it free of charge. Newtech Recycling, Inc. has also purchased recycling containers from DonJon.

Motion: To accept the Newtech Recycling for electronics at no charge to the Township being the lowest of the three quotes, effective immediately for one year and either party can cancel from acceptance date and each party having the right to cancel this agreement with a 30-day notice.

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

Mr. Hirt reported the following:

- When can we start the work on the sidewalk? Next week was Mr. Hirt’s response.
- Mayor asked about the Race Street project FEMA paperwork/worksheets.
- Mayor asked if I had a chance to look at the soffit vents which have been painted over.
- Mayor asked about basement dampness. Discussion of ways to fix the problem. Mayor asked me to continue looking for solutions.

In the absence of Mr. Bischoff the clerk gave the quote of the night “Instead of giving a politician the keys to the city, it might be better to change the locks.” Doug Larson, gold medalist at the 1924 Olympic Games in Paris.

c. Mayor’s Report

- Item for Executive Session for negotiations and another item regarding personnel.
- We issued the purchase order for asbestos testing to RK Environmental for work to be done for demolition of the old municipal building and garage.
- Highlands Sub-Committee. I copied the Committee on email asking Carl Hintz and Steve Balzano to look at a list of research items and give us a quote to do the work.
- Can we eliminate the exterminator in the Old Municipal Building? Answer: yes. Will notify Purchasing.
- We had a meeting with Lehigh Gas personnel responsible for the Clinton Truck Stop. They gave us a refurbish plan that I forwarded for your review. Our Engineer will compare our plans to theirs for discrepancies. The Attorney negotiated that they will cover our Engineer and Attorney fees.
- The Transco pipeline is now buried and testing is underway.
- We have a drainage issue on Pattenburg Road that we need to resolve. Engineer will report at next meeting.
- There is a shed in Finn Road Park near the back parking lot in needs of repair. A discussion of various options for volunteer assistance.
- \$31,549.00 received from Sandy FEMA money. Thank you to OEM Coordinator.
- Community Day will not take place this year, lack of volunteer commitment.
- State Police, Sgt. Ayalo gave me a report of a police action from several weeks ago. He also informed me there will be a new Lieutenant and Sergeant and we will meet them in a few weeks.
- Meeting in Clinton tonight for the Exit 15 project. The bridge U-18 will be closing on approximately June 17th for three months for replacement.

d. Clerk’s Report

- Emergency Purchase – New computer for the Tax Collector’s office.

Motion: To purchase a new computer not to exceed \$1715.00

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

14. PUBLIC COMMENTS

Tom Cannan, Grove Farm Road, Pittstown – Commented that we should include the Girl Scouts on the volunteer call list (Chris Walchuck, Scout Leader). I would like to be included in the NJ State Police meeting. I would like to comment about the Clinton Public Hearing regarding the intersection near Walmart. Mr. Mazza gave an overview of the history of the intersection. Discussion followed. A short discussion about waterproofing and the basement.

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

Motion carried

17. EXECUTIVE SESSION

The following Resolution introduced:

**RESOLUTION #2013 - 84
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 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 require in order for the attorney to exercise his ethical duties as a lawyer.
- 8. X *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 June 5, 2013, at 9:16 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	X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff						X

Motion carried

Motion to come out of Executive Session – 9:30 p.m.

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

Mr. Bischoff						X
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Motion carried

Motion: To authorize the Mayor to make an offer of employment to Michelle Trivigno for the position of Assessor based on the terms discussed in Executive Session for this position.

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

Motion carried

18. ADJOURNMENT – There being no further business to come before the Township Committee at this time, Mr. Mazza made a motion to adjourn the meeting at 9:31 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Patricia Essig, Deputy Clerk

Michele McBride, Mayor