

**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; Robert Clerico, Engineer; and Ella M. Ruta, Twp. Clerk

**5. APPROVAL OF PRIOR MEETING MINUTES**

- a. Regular and Executive Session Meeting Minutes of June 19, 2013.

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

Motion carried

**6. VISITORS - Patty Ratner, Realtor with Wiedel Realty, Clinton**

Ms. Ratner said that she has a listing for 49 Race Street, Cozze Junkyard and is seeking information about permits. Attorney Jost suggested that the potential buyer's attorney contact him to discuss the permits required to operate the junk yard.

**7. REPORTS RECEIVED**

- a. Dept. of Roads & Facilities- Week Ending 6/14/13; 6/21/13; 6/29/13; 7/05/13. The Mayor thanked the DR&F Dept. for rescuing ducklings from a storm drain. We have photos of July 4<sup>th</sup> weekend of the regular and recycling dumpsters. According to the report, the Road Dept. is spending time on Mondays cleaning up after the recycling center. Discussion regarding recycling issues postponed until next meeting.
- b. Animal Control Officer – March thru June 2013
- c. UT Court – May & June 2013. Mr. Bischoff stated that the Court numbers are down.
- d. Zoning Officer – June 2013
- e. Tax Collector – June 2013
- f. Finance Report – Budget Trial Balance as of 7/15/13

g. Engineer’s Report

- Perryville Road, the design for section in front of the Municipal Building is completed and we are working on the design for storm water infrastructure.
- Patrick Drive – I spoke with the Transco Foreman and the paving work which they previously said would be completed in mid-July will probably be delayed for another three weeks. They will get back to me with more specifics.
- Tax maps – we are still waiting on the deed collection. The Township has a resident volunteer working on it.
- The demolition of the Old Municipal Building and old garage. I am still waiting for some direction regarding demolition.

**Motion:** For Mr. Clerico to develop the specs for demolition of the Old Municipal Building and potentially the Old Garage.

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

Motion carried

- Letters out for the new DOT applications are due September 20<sup>th</sup>. Get direction from DR&F Foreman and Mr. Mazza of any other road that may be more qualified or do a second application for a different road.
- Are we doing any M&R road chips? Mayor asked me to send email to DR&F Foreman with copy to Mr. Mazza for direction.

**8. CORRESPONDENCE / WRITTEN COMMUNICATIONS**

Mr. Hirt reported the following correspondence: None

Mr. Bischoff reported the following correspondence:

- Mayor’s Advisories - Re: October Special Election
  - Re: Affordable Housing, Municipal Housing Trust Funds
  - Re: NJ Supreme Court Issues Decision in COAH Abolition Case

Ms. McBride reported the following correspondence:

- Mayors Advisories - Re: State Comptroller Report on Local Government Legal Fees
- NJ Legislature Re: Press Release about Technology Upgrades Initiated by First Energy Corp.
- Mayor requested Clerk to copy UTEC on correspondence from Raritan Headwaters Assn, congratulating us on our \$300.00 donation.
- Kleinfelder Re: Former Exxon #3162 Union Township-RAO Addendum, copy to UTEC.
- Franklin Township, Re: Ord. 2013 to Amend, Revise and Supplement Chapter 225, “Land Use Fees”. Mayor asked Mr. Bischoff to look at the Land Use Fees just passed by Franklin Township and compare to Union Township.
- Mr, Clerico received a preliminary notice stating that in 2014 they will be overlaying Route 173 from milepost 8.1 (near Strotz Rd) back to the intersection of Rt. 78 which includes Pilot frontage.

9. PUBLIC COMMENTS

10. PUBLIC HEARING

**ORDINANCE NO. 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**

To open

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

Motion carried by unanimous favorable vote

To close

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

Motion carried by unanimous favorable vote

To adopt

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

Motion carried

**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  
PITTS TOWN-CLINTON ROAD/COUNTY ROAD 513 IN THE TOWNSHIP OF UNION,  
HUNTERDON COUNTY, NEW JERSEY**

To open

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

Motion carried by unanimous favorable vote  
To close

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

Motion carried by unanimous favorable vote

To adopt

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

Motion carried

**11. OLD BUSINESS**

**Motion:** Fire Protection Services Agreement – Franklin Fire District No. 1

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

Motion carried

**12. NEW ORDINANCE – 1<sup>ST</sup> Reading**

**13. NEW BUSINESS**

a. Following resolution introduced for adoption:

**RESOLUTION # 2013-91  
TOWNSHIP OF UNION, HUNTERDON COUNTY  
RESOLUTION TO AUTHORIZE THE TAX COLLECTOR TO CANCEL PROPERTY TAXES FOR  
BLOCK 30 LOT 2 PURSUANT TO 100% DISABLED VETERAN EXEMPTION**

**WHEREAS**, pursuant to N.J.S.A. 54:4-3.00(a) the dwelling house and cartilage owned by a citizen or resident of New Jersey who is a veteran and has a total or 100% permanent disability as defined therein may be exempt from property tax; and

**WHEREAS**, Fred W. Ronecker is a resident and citizen of New Jersey who served in active war time and was honorably discharged from the U.S. Armed Forces was declared on July 6, 2011 (via letter dated September 20, 2011) by the U.S. Department of Veterans Affairs to have a wartime service-connected disability that has caused him to be totally and one hundred percent permanently disabled; and

**WHEREAS**, Fred W. Ronecker owns legal title to the entire dwelling house and cartilage on the property indentified as Block 30 Lot 2, which is his principal place of residence; and

WHERAS, Fred W. Ronecker filed his application on October 4, 2011 and the tax assessor approved the exemption on October 4, 2011 based on the application and information provided; and

**WHEREAS**, Kelly A. Hahn, Tax Collector advises that the 2012 taxes in the amount of \$6,542.97 need to be cancelled; and

**NOW, THEREFORE, BE IT RESOLVED**, on the 1<sup>st</sup> day of May by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. The tax collector should exempt the dwelling house and cartilage property taxes due on Block 30 Lot 2 effective October 4, 2011.
2. The tax collector should cancel the 2012 taxes in the amount of \$6,542.97.
3. This Resolution shall take effect immediately upon adoption.

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

Motion carried

- b. Following resolution introduced for adoption:

**RESOLUTION #2013-92**

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

**RESOLUTION TO BECOME A MEMBER OF NEW JERSEY SUSTAINABLE ENERGY JOINT MEETING (NJSEM)**

**WHEREAS**, Local Units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq. And;

**WHEREAS**, the statutes regulating the creation and establishment of a Joint Meeting contain a mechanism for local units to aggregate their collective energy consumption in order to negotiate and contract for energy in a cost effective manner, furthering the public interest entrusted to such a Joint Meeting. And;

**WHEREAS**, the Governing Body of the Township of Union has determined that membership in the Joint Meeting is in the best interest of the Township.

**NOW THEREFORE, BE IT RESOLVED** that the Governing Body of the Township of Union does hereby resolve and agree to become a member in the New Jersey Sustainable Energy Joint Meeting (NJSEM) for

the purpose of joining with other Local Units in the State to aggregate purchasing power of energy so as to achieve financial savings and to encourage Local Units to cooperate in seeking ways to jointly implement sustainable energy alternatives;

**BE IT FURTHER RESOLVED** that the Mayor is authorized to execute the Joint Contract Joinder Agreement, attached hereto, and that Mayor Michele McBride is hereby designated to represent the Township of Union as a member of the State Management Committee of the NJSEM; and

**BE IT FURTHER RESOLVED** that the Mayor is authorized and directed to execute such other documents signifying their membership in the NJSEM, and make payment of the initial, one time membership fee of \$150 as required by the NJSEM’s Bylaws and to deliver same to the Executive Director of the NJSEM.

Attest:

\_\_\_\_\_  
Ella M. Ruta, RMC  
Township Clerk

\_\_\_\_\_  
Michele A. McBride, Mayor

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

Motion carried

- c. **Motion to Approve:** Participation under the County’s Contract in Co-op Purchase 2013-2014 Winter Snow & Ice Control Materials.

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

Motion carried

- d. **Motion to Approve:** Pilgrimage from St. Peter & Paul Church walking through the Township on August 10, 2013.

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	X			

Motion carried, subject to the usual insurance coverage naming Union Township as additional insured on the date of the Pilgrimage.

**14. REPORTS**

**a. Attorney’s Report**

- PS Construction – Rolling Hills. Discussion of moving the location of the affordable housing units. Attorney Jost dictated the following resolution and recommended that it be adopted tonight stating that the Committee has no objection to affordable housing units being placed off-site on Blk 22 Lot 27.04

**RESOLUTION #2013- 93**

**UNION TOWNSHIP, HUNTERDON COUNTY**

**BE IT RESOLVED**, that PS Construction will be placing the two required COAH Units off-site specifically on Blk 22, Lot 27.04

**BE IT FURTHER RESOLVED** that the Committee of the Township of Union in Hunterdon County has no objection to construct the affordable units on Blk 22, Lot 27.04. The Township Committee’s approval is specifically contingent upon such off-site construction being acceptable to the Union Township Planning Board/Board of Adjustment, the Board Attorney, the Township Planner and COAH.

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

Motion carried

**b. Committee Report**

Mr. Hirt reported the following:

- Are we going to purchase a painting from the Hunterdon Tri-Centennial to display in the meeting room? Mayor responded that no decision had been made and asked the Committee to vote on the idea.

**Motion:** Mr. Hirt made a motion to buy one of the prints commemorating the 300<sup>th</sup> Anniversary of Hunterdon County at a maximum cost of \$300.00.

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

Motion carried.

- Complimented the sidewalk work done by Peter’s Masonry.
- Informal inspection of Municipal Building for water egress. I will get proposals for fixing the problem.

Mr. Bischoff reported the following:

- Quote “If you think health care is expensive now, wait until you see what it costs when it’s free!” P.J. O’Rourke

- I am looking for 300<sup>th</sup> Hunterdon County Anniversary ideas with the emphasis on Union Township.
- Highlands sub-committee
- Two property issues for Executive Session.
- Set up a meeting with new Station Commander of State Police Barracks.

**c. Mayor’s Report**

- We received a letter from COAH dated June 25, 2013 requesting certification of COAH Trust Fund status. This is the third letter that we received from them in the last two months. We responded to the first two letters and we are responding to the third. I sent a draft to everyone on the Committee and received feedback. I would entertain a motion to approve this letter.

**Motion:** To approve the Mayor’s response letter to COAH.

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

- Asbestos testing for the Old Municipal Building was done on June 14<sup>th</sup> and I received results today they are negative no abatement required.
- Property tax bills and flyer mailed last Friday. I would like to thank everyone in the building that participated and that was basically everyone in the building for helping to get the new flyer out.
- A pie chart of taxes to be posted on our website.
- Clinton is selling a truck on govdeals.com. I asked the Attorney to look at this and see if it is appropriate for us to do.
- Pittstown Trail Association is interested in putting some additional jumps in Finn Road Park. The Attorney said they should present their plans and seek approval from the governing body. The Trail Association would like to have a picnic at Finn Rd. Park and park trailers there on September 21<sup>st</sup> and I referred them to Jack Hara.
- We had storm water issues on July 1<sup>st</sup>. We had 3” of rain in 1-1/2 hours and torrential downpours. I circulated copies of pictures from Country Acres. I would like Bob Clerico and Craig Hermann to go out there with me and look at the storm water drainage to be sure everything functions as it should.
- I have some volunteers for the tax map project and volunteers for the shed renewal refurbish project at Finn Rd. Park too.
- The PTA would like to do a 5K on Saturday, May 31<sup>st</sup> or Saturday, June 7<sup>th</sup>. They like our Finn Rd. Park biking trail but it’s not really a road race, it’s a trail run and rugged. Are we interested in having Community Day in May of next year over at Hunterdon Hills Playhouse and they would run their 5K as a road race and work that into afternoon festivities with us. Would we consider a Community Day next year in May. Mr. Hirt will look into it.
- FEMA on June 27<sup>th</sup> changed the cost share from 75/25 to 90/10 and we will get two more checks.
- Two items for negotiations in Executive Session.
- I receive a letter from Jehovah’s Witnesses declining our request to rent space for the Milligan Trail Head and I have notified the State that we will not be utilizing the grant for the trailhead.
- FEMA costs for the Race St. Project if our actual costs are higher than the FEMA cost, there is a process to request an adjustment.

**d. Clerk’s Report**

**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 paid and that all checks listed hereinafter 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			
Mr. Bischoff		X	X			

Motion carried

**17. EXECUTIVE SESSION**

The following Resolution introduced for adoption:

**RESOLUTION #2013 - 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 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

MINUTES OF REGULAR MEETING July 17, 2013

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.  X  *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. \_\_\_\_\_ *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 July 17, 2013 at 8:22 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.

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

Motion carried

Motion to come out of Executive Session – 8:53 p.m.

MINUTES OF REGULAR MEETING July 17, 2013

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						X
Mr. Mazza						X
Mr. Hirt		X	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. Bischoff made a motion to adjourn the meeting at 8:54 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Prepared by: Patricia Essig, Deputy Clerk

Michele McBride, Mayor