

**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, Township Engineer and Ella M. Ruta, Twp. Clerk

**5. APPROVAL OF PRIOR MEETING MINUTES**

- a. Regular and Executive Session Meeting Minutes of August 7, 2013.  
Mr. Bischoff made changes on the top of page 10 "and proclamation potentially signed by the Governor or other government official."

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 as amended

- 6. **VISITORS** – NJ State Trooper Brian Walsh and Barracks Commander Lt. Frinzi. We are here with respect to your concerns of what we are doing for your Municipality. After review of all the reports at the station, Trooper Walsh presented an overview/update to the Committee. Also suggested that residents to be alerted to recent burglaries of unlocked vehicles in residential driveways.

The Committee updated the Troopers on several projects. Pilot Travel Centers LLC. – Possibility of joining forces with DOT for paving. Louise’s will be entirely refurbished in the future, according to owner Lehigh Gas.

**OUT OF AGENDA ORDER**

The Mayor announced that Union Township, Hunterdon County was named the fifth best place to live in the State of New Jersey in 2013 by NJ Monthly Magazine. The Mayor continued by thanking the wonderful staff in this building, the great work that this Committee has done and all the former Mayors, our volunteers and our residents. Everybody worked together to make that happen.

Lt. Frinzi stated that he spoke to all the school Principals and Superintendents and that the troopers will have an increased presence in the school system.

### RETURN TO AGENDA ORDER

#### 7. REPORTS RECEIVED

- a. Dept. of Roads & Facilities- Week Ending 8/09/13; 8/16/13; 8/23/13
  - b. Finance Report – Budget Trial Balance as of 9/04/13. Mayor reviewed several items on list.
  - c. Zoning Officer Report – August 2013.
  - d. Animal Control Officer
  - e. Engineer's Report
- Race Street plans and specs are completed and the funding ordinance is on agenda tonight for Public Hearing. I have copies of the plan. I would like this in the newspapers either this week or early part of next week and open bids by September 27<sup>th</sup> and awards at October 2<sup>nd</sup> meeting. Mayor requested to post the Notice to Bidders information on the website.
  - Perryville Rd. Project, we have completed survey and some preliminary plans, but not near finalized, and have not written specs. This will not be ready for submission to DOT until end of this year or January latest. Invite residents affected on Perryville Rd. to November meeting to discuss design.
  - Old Municipal Building, the Mayor met with Adam Wengryn, Restoration Technologies, and there might be some salvage value associated with that building. There will be a base bid that will include demolition of everything and an alternate bid that is only going to include demolition of the structure and the back wing of the garage. Discussion followed.
  - Transco finished the paving work on Patrick Drive, waiting for as-built plans.
  - Chip and seal scheduled for this Friday, Finn Rd. and Main Street in Pattenburg.
  - Tax maps - we are reviewing the various deeds and identifying those that require map revisions.
  - Pre-construction Meeting with Fallone last week about their project and there are some issues that we are going to have to talk about.
  - Country Acres Easements – provided information to the Attorney regarding the various easements.

#### 8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Hirt reported the following correspondence: None

Mr. Severino reported the following correspondence:

- Kleinfelder Re: Public Notification – Spruce Run Recreation Area I. This is a State issue
- The Governor conditionally vetoed the Logging Bill on State owned lands.

Mr. Bischoff reported the following correspondence:

- NJLM Advisories:
- Re: S-2340, Expands Ability of Court Order Attorney Fees and Types of Filing Considered Frivolous.
- Re: Governor Creates Pension Fraud and Abuse Unit by Executive Order.
- Re: Your Help is Needed to Protect Municipal Bonds. Washington wants to get rid of the exemption for Municipal Bonds that would mean that anytime you wanted to do bonding it would cost us more money to do this. Looking for support by writing to congressional delegates we support maintaining the exemptions. Resolution will be prepared.

- Re: Establishes the Disaster Relief Emergency Financing Program within NJ Environmental Infrastructure Trust Financing Programs.
- Re: NJ Insurer Offers Free Teen Driver Safety Program. Mr. Severino commented that this program is sponsored by private insurance company.
- Re: September is National Preparedness Month.

Mr. Mazza reported the following correspondence:

- Re: A-3764 Snow Removal Trust Funds. Permit Counties and Municipalities to use snow removal reserve funds to respond for clearance of debris following declaration of emergency by the President or Governor.

Ms. McBride reported the following correspondence: None

**9. PUBLIC COMMENTS - none**

**10. PUBLIC HEARING**

**ORDINANCE #2013 – 7**

**AN ORDINANCE APPROPRIATING THE SUM OF \$75,000.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND, OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY, FOR THE PROJECT KNOWN AS RACE STREET STREAM EMBANKMENT STABILIZATION**

Motion to Open Public Meeting

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

Motion carried by unanimous favorable vote

Motion to Close Public Meeting

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

Motion carried by unanimous favorable vote

Motion to Adopt UT Ordinance #2013-7 on the second reading

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

11. OLD BUSINESS

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

13. NEW BUSINESS

a. Following resolution introduced for adoption:

**UNION TOWNSHIP, HUNTERDON COUNTY  
RESOLUTION #2013-99**

**Authorizing the Chief Financial Officer to pay for additional time served during the  
Two Special Senate Elections in 2013**

WHEREAS, Governor Christie signed an executive order adding two additional elections for the year 2013 to be held on August 13th and October 16th; and

WHEREAS, the State Division of Elections will be reimbursing all additional expenses related to conducting these additional elections; and

WHEREAS, Ella M. Ruta, Municipal Clerk, will need to work an additional 20 hours total to perform these duties in addition to her regular hours on those days: and

NOW THEREFORE BE IT RESOLVED, by the Township Committee, Township of Union, County of Hunterdon, State of New Jersey, authorizes the Chief Financial Officer to pay Municipal Clerk Ella M. Ruta for an extra 10 hours on Tuesday August 13 and an additional 10 hours on Wednesday October 16, 2013 for the extra time she will serve the Township during the additional 2013 Special Senate Elections.

\_\_\_\_\_  
Michele McBride, Mayor

Attest:

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

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:

**UNION TOWNSHIP, HUNTERDON COUNTY  
RESOLUTION #2013-100**

RESOLUTION: **Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Frontage Road Section 1 Improvement Project.**

WHEREAS, Frontage Road Section 1 is in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Township of Union Engineer, has prepared a cost estimate for improvements to this road.

NOW, THEREFORE, BE IT RESOLVED by the Union Township Committee that the grant application for the above stated project is formally approved.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014 Union Township 00240 to the New Jersey Department of Transportation on behalf of Township of Union.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Union and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council  
On this 4<sup>th</sup> day of September 2013.

\_\_\_\_\_  
Ella M. Ruta, Municipal Clerk

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
Ella M. Ruta, Municipal Clerk

\_\_\_\_\_  
Michele 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. Following resolution introduced for adoption:

**UNION TOWNSHIP, HUNTERDON COUNTY  
RESOLUTION #2013-101**

RESOLUTION: **Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Van Syckel’s Corner Road Section 1 Improvement Project.**

WHEREAS, Van Syckel’s Corner Road Section 1 is in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Township of Union Engineer, has prepared a cost estimate for improvements to this road.

NOW, THEREFORE, BE IT RESOLVED by the Union Township Committee that the grant application for the above stated project is formally approved.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014 Union Township 00239 to the New Jersey Department of Transportation on behalf of Township of Union.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Union and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council  
On this 4<sup>th</sup> day of September 2013.

\_\_\_\_\_  
Ella M. Ruta, Municipal Clerk

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL

\_\_\_\_\_  
Ella M. Ruta, Municipal Clerk

\_\_\_\_\_  
Michele McBride, Mayor

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

d. **Motion to Approve:** Correcting the date of Fireworks Display at the Hunterdon Developmental Center from September 5, 2013 to September 6, 2013 in Resolution #2013-97

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

- e. **Acknowledgement:** Jeff Polenz Vacating the position of UT 911 Coordinator as of 8/30/13. The Mayor acknowledged Jeff Polenz who served as our Township 911 Coordinator for a number of years is vacating his position as of the last day of August. I would like to thank Jeff for his service over the years. We accept his resignation with regret and thanks for his good services to the Township.

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

Motion carried by unanimous favorable vote

Executive session to talk about Jeff’s replacement.

- f. **Motion to Approve:** Application for Special permit for Social Affair – Union Township School PTA

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

Motion carried by unanimous favorable vote

**14. REPORTS**

**a. Attorney’s Report**

- Received fully executed Green Acres agreement and we already submitted our voucher for our installment of \$325,000.00 for the Milligan Farm acquisition.
- Received a letter regarding an “orphan bridge” on County Route 625 over the Norfolk Southern Railroad. We have no jurisdiction or responsibility over this bridge.
- Received an application for a farm opening and will research if the Township Ordinance needs to be amended to include farm openings.
- I received a letter from Lehigh Gas asking to make Title 39 applicable to the former Louise’s Diner property. We need to clarify with their Engineer what exactly the regulations are going to be that are applicable to that property.

**b. Committee Report**

Mr. Mazza reported the following:

- Remind everyone we are still having a golf outing for the fire departments on October 10<sup>th</sup> at 10:00 a.m. and everyone can help out i.e.; sponsors, golfers, flyers, etc.
- Noticed that at Finn Road Park the gang boxes are open and they need to be locked.
- The Mayor and Mr. Bischoff cleaned out the shed and the DR&F will move the shed once they finish tar and chip.

Mr. Bischoff reported the following:

## MINUTES OF REGULAR MEETING September 4, 2013

- Quote “there is nothing more difficult to take in hand, more serious to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things” Niccolo Machiavelli, The Prince” 1532.
- We were contacted by the State in regards to the Milligan Farm archeological material and Mrs. Lingelbach unfortunately is not in good health and has asked me to respond.
- At the direction of the Committee I wrote two letters to the Governor one on the Forestry Stewardship bill which has been vetoed and Municipal Affordable Housing Trust Fund. JCP&L letter regarding updates in event of emergencies. Pilot, set up a meeting with Pilot Attorney, Mr. Lott to discuss minor issues to be done.

Mr. Severino reported the following:

- Need to send thank you letter to Franklin Township for their assistance in certifying our recycling tonnage report as Mr. Alan Dilley did last year.
- Mr. Mazza and I met with DR&F Foreman and the builder who constructed our public sports buildings here and we looked at our situation and asked a lot of questions with regard with what can be do here if we don’t have the old garage there. Mr. Mazza and I agree and I am of the opinion that it would be nice and maybe necessary in the future to construct another building for housing equipment, I believe we can do without it at this time. Further discussed how it could work.

Mr. Hirt reported the following:

- The corner house on Main Street will again be occupied and cleaned up.
- There is work being done on a house in town with an above ground swimming pool in the backyard that has been neglected and am concerned about mosquitoes. Mayor suggested a call to the County Health Dept.
- The report on the mold and water egression in the basement received. I gave an overview of the recommendations for remediation. The Committee discussed and agreed to seek professionals for their recommendations before proceeding. The Mayor requested that I come back at the next meeting with proposals for the Committee.

**c. Mayor’s Report**

- On Thursday, August 8<sup>th</sup> Mr. Bischoff, Coordinator Canaan and I met with JCP&L Stan Prater, Regional Manager to complete our critical facilities list.
- On Wednesday the 21<sup>st</sup>, I met the County Engineer and State Historic Preservation Office Representative to review progress on the Race St. Bridge. We chose the stone color, the type and the mortar. They are starting the stone work next week.
- On Thursday the 22<sup>nd</sup>, Mr. Mazza and I went to Finn Rd. Park and worked on carpentry and some painting on a recreation shed. Remainder of work was done by Bethlehem Presbyterian Church and Boy Scout Troop 200 the following Sunday. Repainted 2-1/2 sheds and fixed and cleaned up re-gardened the Defazio Memorial Garden. Thank you to Colleen Duerr and Karen Sfarra for heading it all up.
- The DR&F has resurrected the Welcome to Union Township sign at exit 11 eastbound Rt. 78.
- I would like to thank volunteer Jake Kastrud who completed the deed search for the tax maps, he spent over 20 hours of time with some help from Deputy Clerk Pat Essig. We greatly appreciate his help.
- UTEC is working on their bronze level recertification for Sustainable New Jersey. As part of that recertification, I will comment on diversity within our township boards and committees. I wanted to let the Committee know that UTEC has studied the diversity of groups of our boards and committees and determined that females are still under represented on boards and commissions at only 23% vs. population average of 56% in Union Township. Therefore, our conclusion is that Union Township should seek to appoint more females in order to more fully represent the community. I will do my best.

- Lastly, last Sunday morning I collected a few bandit (business opportunity) signs in Union Township. It is a continuing issue in the Township and it is a real problem because it detracts from the beauty of our community and distracts drivers. I bring it up because we need to consider a code enforcement officer. I would like the Committee to think about that. Committee agreed that Mayor should look into a code enforcement officer for two hours a week.
- Two items for Executive Session, both personnel issues.

**d. Clerk’s Report**

- Thanks to Mr. Bischoff, Foster Wheeler offered the Township four fireproof filing cabinets

**15. PUBLIC COMMENTS**

Terry Wright, Hunterdon County Democrat Newspaper mentioned two road projects that the Committee has been talking about for several months. Would you provide the grant amount and plan for each for the projects. The Engineer provided him the information.

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

Motion carried

**17. EXECUTIVE SESSION**

The following Resolution introduced for adoption:

**RESOLUTION #2013 - 102  
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 September 4, 2013 at 9:04 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
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MINUTES OF REGULAR MEETING September 4, 2013

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

Motion carried

Motion to come out of Executive Session – 9:34p.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			

Motion carried

9:35 Mr. Mazza left the meeting

After coming out of Executive Session Meeting, the Committee took the following actions:

**Motion:** To amend Executive Session Resolution 2013-102 by adding No. 7, Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege

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 Appoint Tom Canaan as the 911 Coordinator for Union Township effective upon resignation of Jeff Polenz, appointment to run until the end of 2013. To serve without compensation as agreed by Mr. Canaan.

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 9:38 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Prepared by: Patricia Essig, Deputy Clerk

Michele McBride, Mayor