

1. CALL TO ORDER

Mayor McBride called the meeting to order at 7:30 p.m.

"Sunshine Law" Announcement-Adequate notice of this rescheduled public meeting has been transmitted by Electronic Notice to the Hunterdon Democrat, Courier News and Express Times; posted on the public bulletin board and on file in the Municipal Clerk's Office.

2. FLAG SALUTE

3. 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, P.E. and Ella M. Ruta, Twp. Clerk

4. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of December 18, 2013.

Mayor McBride would like to make a correction to Executive Session Minutes. The Minutes will be approved after coming out of Executive Session Meeting.

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.

5. VISITORS

- a. John Drill – Special COAH Counsel. We will be speaking with Mr. Drill on the phone during Executive Session to discuss potential litigation.
- b. James Gibbons – potential candidate as Planning Board Member. The Mayor read Mr. Gibbons credentials. The Mayor appointed James Gibbons to the Planning Board as Alternate two.

6. REPORTS RECEIVED

- a. Dept. of Roads & Facilities- Week Ending 12/21/13; 12/27/13. The Mayor thanked DR&F for removing the “buy houses” signs on the poles. Mr. Mazza mentioned the falling concrete from the railroad bridge on Baptist Church Rd.
 - b. Zoning - December 2013
 - c. Engineer’s Report
- Guide rail installation on Race St. along the embankment. The Committee asked me to obtain some prices. Morris Co-op price \$5,650.00.

The following motion was presented for approval:

Authorizing the Engineer to proceed with acquisition and installation of guide rail, subject to the confirmation of funding by the CFO.

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

Motion carried

- Demolition of old municipal building. We are still collecting paperwork from the various utilities to give to the contractor to give to the DCA in order for them to get the demolition permit.
- Working on Perryville Road specs and finalizing the plans. Should have plans submitted to DOT by the end of the month.
- We did the close out with DEP on the Race Street embankment work.
- Meeting with Bruce Hirt on Thursday to discuss the building drains.
- The representative from Elizabethtown Gas visited at my office about the 1/3 mile extension of gas line along Race Street to provide service up to the new development. Need to work through details.
- I received from Joe Staiger Pilot’s plans for the Rt. 173 improvements.

7. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Hirt reported the following correspondence: None

Mr. Severino reported the following correspondence: None

Mr. Bischoff reported the following correspondence:

- PAIC Re: Reporting of Claims to Claims Made Policies Prior to 12/31/13 Expiration Date. I presume that the CFO has that.
- Township of Pohatcong Re: A Resolution urging Legislature to implement a water tax to fund the loss of land equity for property owners in the Highlands Region. We are in support of that and continue to be in support of it because it is an unfunded mandate. The Township of Pohatcong has passed the resolution and I believe that we ought to look at the resolution and see if we do not want

to reiterate again what we have made before as an initial emphasis. The Attorney and I will review for next meeting.

- NJ DEP Re: Termination of the Memorandum of Agreement (MOA) for 126 Perryville Road. The Mayor requested the Clerk send a copy of the MOA to UTEC for their information.

Mr. Mazza reported the following correspondence:

- NJLM: Re: Efforts to Advance to Clarify the Status of Volunteers under the Affordable Care Act.

Ms. McBride reported the following correspondence: None

- 8. PUBLIC COMMENTS – none
- 9. PUBLIC HEARING - none
- 10. OLD BUSINESS - none
- 11. NEW ORDINANCE – Introduction / 1ST Reading

**TOWNSHIP OF UNION
COUNTY OF HUNTERDON**

NOTICE OF INTRODUCTION OF ORDINANCE

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 7TH day of January, 2014. The Ordinance was then ordered to be published according to law. Notice is hereby given that said Ordinance will be considered for final passage at a public hearing to be held on the 5th day of February 2014, 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Rd., Jutland, NJ at which time all interested parties will be heard.

Ella M. Ruta, Municipal Clerk

ORDINANCE #2014 - 1

AN ORDINANCE FIXING AND DETERMINING MUNICIPAL CLASS POSITION TITLES AND SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, NJ – 2014

BE IT ORDAINED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, the salary ranges per annum for the year 2014 for the following officers and employees shall be as follows:

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

ADMINISTRATIVE

<u>POSITION</u>	<u>SALARY RANGE</u>
Mayor	\$ 4,000 - 5,000
Township Committee	4,000 - 4,800
Township Clerk	25,000 - 60,000
Tax Collector	15,000 - 30,000

Deputy Tax Collector	15.00 - \$40.00 p/h
Tax Assessor	20,000 - 35,000
Municipal Finance Officer (CFO)	20,000 – 35,000
Payroll Administrator	4,000 - 6,000
Accounts Payable Clerk	3,000 - 5,000
Emergency Management Coordinator	2,000 - 7,500
9-1-1 Coordinator	0 - 5,000
Deputy Emg. Mgm. Coordinator	0 - 2,500
Registrar	0 - 5,000
Clerical Assistant(s)	min. wage - 25./hr

DEPARTMENT OF ROADS AND FACILITIES

Foreman	35,000 – 75,000
Public Works Staff No. 1	30,000 – 55,000
Public Works Staff No. 2	30,000 – 55,000
Public Works Staff No. 3	30,000 – 55,000
Part Time Snow Plower	20.00 - 30.00 p/h
Part Time Mower	10.00 – 15.00 p/h
Part-time/Emergency-by appointment	8.00/hr - 15.00/hr

LAND USE DEPARTMENT

Zoning Officer	7,500 - 14,000
Deputy Zoning Officer	1
Planning Bd./Bd. of Adj. Secretary(Combined)	15,000 - 32,000

MISCELLANEOUS

Recycling Coordinator	4,000 - 12,000
Dog & Cat Registrar	2,000 - 6,000
Animal Control Officer	2,500 - 11,000
Dog Census	0 - 3,000
Recycling Attendant/Dumpster Attendant	10.00 - 15.00/hr
Recycling/Dumpster Attendant Helper	8./hr – 13.00/hr

PUBLIC SAFETY

Public Safety Officer	5,000 – 7,500
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HEALTH INSURANCE

Union Township Employees

Each Employee covered under the NJ State Health Benefits Program through the Township of Union shall contribute the State required amount.

Union Township Elected Officials

Each elected official of the Township of Union that is enrolled in the Benefits Program shall contribute the state required amount.

MISCELLANEOUS –

If the provisions of any part of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of this Ordinance; the provisions of this Ordinance are hereby declared to be severable.

This Ordinance shall take effect according to statute until further Ordinance by this Township Committee.

Michele McBride, Mayor

Attest: _____
Ella M. Ruta, RMC
Municipal Clerk

First Reading: January 7, 2014
Publication/Full: January 16, 2014
Second Reading: February 5, 2014
Publication/Title: February 13, 2014

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 BUSINESS

a. The following Resolution was introduced:

**RESOLUTION #2014-20
UNION TOWNSHIP; HUNTERDON COUNTY
RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2014**

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

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

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

WHEREAS, J. PETER JOST, ESQ. has submitted a proposal indicating the fee for all other legal services rendered shall be \$170.00 per hour; and

WHEREAS, J. PETER JOST, ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that J. PETER JOST, ESQ. has not made any reportable contributions to a political or candidate

committee in the Township of Union in the previous one year, and that the contract will prohibit J. PETER JOST, ESQ. from making any reportable contributions through the term of the contract; and

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

NOW THEREFORE, BE IT RESOLVED by the Township Committee authorizes the Mayor and Clerk to enter into a contract with J. PETER JOST, ESQ. as described herein; and

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

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

Ella Malecki Ruta, Municipal Clerk

CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, Chief Finance Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2014 Temporary/Adopted Budget to award a contract to J. Peter Jost, as appropriated under the line item "_____".

Date: _____

Grace M. Brennan, CFO

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

13. REPORTS

a. Attorney's Report

- Meeting with Fire Chief today and we reviewed the present fire ordinance of the township which goes back to 1972 and there is a number of outdated and archaic features in the ordinance. I will look at some ordinances in other municipalities and do some proposed changes which I will review with the Chief and then present to the Committee for their modernization. Discussed motor vehicle accidents on Rt. 78.
- Atty. Jost asked for a motion to go into Executive Session to discuss potential litigation and approval of 12/18/13 Executive Session Minutes.

The following Resolution was introduced for adoption:

RESOLUTION #2014 - 21

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 _ ___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 January 7, 2014 at 7:58 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

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

Motion carried

Motion to come out of Executive Session at 8:23 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			

Motion carried

b. Committee Report

Mr. Mazza reported the following:

- Snow storm and recycling issues. When we have a snowfall like we did, it might make sense to close the gate, but it would make it difficult for the road crew coming in and out.

Mr. Bischoff reported the following:

- “We must all hang together, or assuredly we shall all hang separately.” Benjamin Franklin, *At the signing of the Declaration of Independence (July 4, 1776)*
- Regarding the Court, the movement we were trying to accomplish is going to take a little longer to work out. It is being pursued.
- New script for telephone.

Mr. Severino reported the following:

- Recycling open/closed on holidays proposed dates.

Motion: To adopt Recycling calendar subject to revisions as necessary. Under the guidance of Mr. Severino to accomplish this and provide the documentation.

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

Motion carried

- Large garbage bags tossed along Ruppel Road containing beer cans and pizza boxes.
- Found two bags of garbage (beer cans and pizza boxes) near the bus shelter on Albert Drive. Both incidents to be reported to the Zoning Officer for action.

Mr. Hirt reported the following:

- I am working on bids for outside water problem.

c. Mayor’s Report

- December 19th Glen Roth and Mayor met with School Superintendent Bender and School Board President Amy Masters to talk about the potential multi-hazards emergency planning for schools project that I had discussed with you a little bit back in December. The school is amenable to the project and the one to two day class would be sponsored by the NJ State Police who would basically run the show. If so, it would be in June.

- December 21st I attended the Court of Honor for Alex LaTournaus and presented a Proclamation. Congratulations to Alex.
- January 2nd UTEC Chairman Don Church and I conferenced with Princeton Hydro personnel, Dr. Souza and Christiana Pollack. 319 Grants are due the end of February. Remediation work to improve the quality of Sidney Brook at Finn Road Park and a bio-retention basin at the end of the parking lot at the municipal building. Suggested they come to the January 15th Committee Meeting. Discussion of other projects.
- January 7th Don Church and I met with NJWSA personnel about a 319 grant for the Mulhockaway Creek. Kathy Hale of NJWSA will attend the January 15th meeting to discuss.
- NJ SEM results we should save about \$1200.00 this year due to the auction for electricity.
- I wrote a letter to the SADC in support of the Farm Preservation of Block 28, Lot 23 as we discussed at last meeting.
- Meeting cancellation guidelines discussed and agreed upon.
- Executive Session – Personnel
- Fire and emergency responses to Development Center and Spruce Run State Park in Union Township are high and both areas are State owned property. Discussion followed and action plan being formalized.
- Budget – first meeting February 5th at 6 p.m. before regular Committee Meeting.
- I distributed copies of the Committee assignments.
- **Clerk's Report**
- Will Mayor perform marriages in 2014? Mayor responded yes.
- Will Mr. Bischoff be the Committee Member to the Planning Board? Committeeman Bischoff responded yes.

14. PUBLIC COMMENTS - None

15. PAYMENTS OF BILLS – None

16. EXECUTIVE SESSION

The following Resolution introduced for adoption:

RESOLUTION #2014 - 22

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 of 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 January 7, 2014 at 8:56 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

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

Motion carried

Motion to come out of Executive Session at about 9:46 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			

Motion carried

The following motions presented after the Executive Session:

Motion: To approve the Minutes of the December 18, 2013 Executive Session as discussed in Executive Session.

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 authorize the Mayor to make an offer to temporary Deputy Tax Collector along the lines discussed in Executive Session by the Committee

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

Motion: To authorize Special Counsel Jonathan Drill to represent Union Township along with three other Municipalities in opposing the Fair Housing Centers motion for the appointment of a Special Master and other relief at a cost not to exceed \$1,500.00.

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

19. 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 9:48 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Prepared by: Patricia Essig, Deputy Clerk

Michele McBride, Mayor