

1. CALL TO ORDER

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

- 2. **"Sunshine Law" Announcement-** Adequate notice of this public meeting has been provided by Annual Notice; published in the Hunterdon 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. Hirt	X	
Mr. Sroka	X	
Mr. Neary	X	
Mr. Mazza	X	

Also present J.P. Jost, Attorney, Robert Clerico, P.E., Grace Brennan, CFO and Municipal Clerk Ella M. Ruta.

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular Session Meeting Minutes of February 21, 2018
- b. Regular Session Meeting Minutes of March 7, 2018 – meeting cancelled due to a snow storm
- c. Regular Session Meeting Minutes of March 21, 2018 – meeting cancelled due to a snow storm

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt		X	X			
Mr. Sroka					X	
Mr. Neary			X			
Mr. Mazza	X		X			

Motion carried

6. VISITORS

- a. William Malenchek – request to hold an Open Air Market in May at 176 Rt. 173 Asbury, NJ 08802 – Mr. Malenchek apprised the Committee of the Market that is similar to the Swap-Meet held at the site in past years. The sale of food is not proposed for the event. The Committee discussed the request briefly and subsequently took the following action.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt	X		X			
Mr. Sroka			X			
Mr. Neary			X			
Mr. Mazza		X	X			

Motion carried

7. EXECUTIVE SESSION – Affordable Housing Litigation and Personnel

The following Resolution was introduced for adoption:

RESOLUTION #2018-44
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 investigation of possible violations of the law.
7. X Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

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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 April 4, 2018, at 7:05 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. Hirt			X			
Mr. Sroka		X	X			
Mr. Neary			X			
Mr. Mazza	X		X			

Motion Carried

The Committee returned to regular meeting session at 7:51 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt			X			
Mr. Sroka	X		X			
Mr. Neary		X	X			
Mr. Mazza			X			

Motion Carried

8. REPORTS RECEIVED - Acknowledged

- a. Road Dept.- Week Ending; 2 /18/18; 2/23/18; 3/04/18; 3/11/18; 3/16/18; 3/23/18
- b. Animal Control Officer – February 2018
- c. Municipal Court – February 2018
- d. Zoning Officer - February
- e. Public Safety Coordinator – Distributed a Report to the Township Committee.
- f. Engineer’s Report

- Municipal Storage Building – Stated the Building is complete.
- Garage Roof Leakage Problem – Will prepare specs and send them to potential bidders for quotes for the work.
- Perryville Road/Railroad Crossing – Nothing new to report.

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- Pilot Travel Centers LLC: Block 11, Lot 24.03 – Stated their work has been completed. Will coordinate issuance of Certificate of Occupancy and Performance Bond Release with Atty. Jost.
- MS4 Storm Water Permits – Continuing preparation for the report that must be filed with the State by the end of April 2018. Needs to obtain information from UTEC.
- Municipal State Aid Frontage Road – Survey work has been done. Will reach out to the State regarding transfer of funds between the two Grants. Section II – Notice of \$185,000.00 Grant. Section I Grant was \$200,000.00.
- Municipal Roads Maintenance Program – Will meet with Road Foreman Hermann to review plans for 2018.

8. CORRESPONDENCE/WRITTEN COMMUNICATIONSMr. Neary mentioned the following:

- Driveway Ordinance Update (item not listed under correspondence) – Said Mr. Clerico had prepared a report. Will meet with Atty. Jost to discuss revisions.

Mr. Sroka mentioned the following:

- Positive comments regarding Road Department Performance during winter storms.
- Brush Collection (item not listed under correspondence) – Received questions from residents regarding debris from winter storms in the Township. The Committee agreed that brush in Township Right-of-Ways will be collected by the Road Department. All other removal is the homeowners' responsibility. Mr. Sroka suggested Green Rock Recycling as a potential disposal site.

Engineer Clerico – Mentioned two letters from NJDEP pertaining to Fallone (Renaissance) development clarifying the LOI, Wetlands and Flood Hazard Determinations.

Also, mentioned a letter from the Agriculture Development Board regarding proposed changes to the Agriculture Development Area.

PUBLIC COMMENTS - None**9. PUBLIC HEARING – 2nd Reading****10. OLD BUSINESS – None****11. NEW ORDINANCE – 1st 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 4th day of April, 2018. 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 2nd day of May, 2018, 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, Municipal Clerk

ORDINANCE #2018-2

CALENDAR YEAR 2018

**ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.0% or the cost of living adjustment of 3.5% over the previous years final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations subject to the 2.50% cap and the 3.5% cost of living adjustment when said difference is not appropriated as part of the final budget; and,

WHEREAS, the Township Committee of the Township of Union, County of Hunterdon, hereby determines that this difference in the amount of \$65,453.22 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Attest:

Ella M. Ruta, Municipal Clerk

Matt Severino, Mayor

First Reading: April 4, 2018
 Publication: April 12, 2018
 Public Hearing: May 2, 2018
 Adoption/Final Publication: May 10, 2018

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt			X			
Mr. Sroka		X	X			
Mr. Neary			X			
Mr. Mazza	X		X			

Motion Carried

12. NEW BUSINESS

- a. **Motion to Approve:** Request by Tax Assessor to Retain Tom Rodriguez Associates in the matter of 2017 Tax Appeal by Fallone at Union LLC

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			

Mr. Hirt			X			
Mr. Sroka		X	X			
Mr. Neary			X			
Mr. Mazza	X		X			

Motion Carried

b. The following resolution was introduced for adoption:

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

**RESOLUTION # 2018-45
 OF THE GOVERNING BODY
 OF THE TOWNSHIP OF UNION**

Resolution Appointing Alternate Animal Control Officer - Lisa Cace

WHEREAS, the Township of Union is in need of an Alternate Animal Control Officer to represent the Township on those occasions when a conflict of interest arises with the regular Township Animal Control Officer, or when the regular Township Animal Control Officer is otherwise unavailable;

WHEREAS, Lisa Cace is certified as an Animal Control Officer by the State of New Jersey and is experienced and otherwise qualified for said position, and good cause appearing;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Union, that Lisa Cace is hereby appointed as Alternate Township Animal Control Officer of the Township of Union for the year 2018, to represent the Township if and when a conflict arises with the regular Animal Control Officer, or when the Animal Control Officer is otherwise unavailable; and

BE IT FURTHER RESOLVED, that Lisa Cace is hereby appointed to represent the Township in the matter of proceedings involving dogs belonging to Tammy Prostack, 411 Bellwood Avenue, Asbury, NJ 08802, in the Union Township Municipal Court.

BE IT FURTHER RESOLVED, that the Alternate Township Animal Control Officer shall be compensated on an hourly basis in accordance with the current Union Township Salary Resolution.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt	X		X			
Mr. Sroka		X	X			
Mr. Neary			X			
Mr. Mazza			X			

Motion Carried

c. 2018 - Budget Discussion – CFO Brennan said the Budget is ready to be introduced. There was no discussion.

d. **Motion to Approve** – 2018 Application for Pattenburg Trailer Park License

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			

Mr. Hirt	X		X			
Mr. Sroka			X			
Mr. Neary			X			
Mr. Mazza		X	X			

Motion Carried

e. The following resolution was introduced for adoption:

RESOLUTION #2018-46

Township of Union, Hunterdon County, State of New Jersey

PLACE-TO-PLACE TRANSFER of ABC License; JJ Development III, LLC

WHEREAS, an application has been filed for a place-to-place transfer of Plenary Retail Consumption License Number 1025-33-006-007 issued to JJ Development III, LLC (a "pocket" license);

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid and the license has been properly renewed for the current license term;

WHEREAS, the Union Township Committee has determined that the requested place to place transfer to allow the sale, service and storage of alcoholic beverages on the licensed premises is hereby approved and is to become effective upon adoption of this resolution;

NOW, THEREFORE BE IT RESOLVED that the Township of Union Governing Body does hereby approve the aforesaid place to place transfer for JJ Development III, LLC located at 167 Perryville Road, Hampton, NJ 08827;

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. Hirt		X	X			
Mr. Sroka			X			
Mr. Neary			X			
Mr. Mazza	X		X			

Motion Carried

f. The following resolution was introduced for adoption:

RESOLUTION #2018-47

RESOLUTION FOR CONDUCTING ANNUAL BUDGET EXAMINATION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Union has been declared eligible to participate in

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the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2018 budget year, so now therefore

BE IT RESOLVED, by the Mayor and Township Committee of the Township of Union that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt			X			
Mr. Sroka		X	X			
Mr. Neary			X			
Mr. Mazza	X		X			

Motion Carried

- g. The following resolution was introduced for adoption:

RESOLUTION #2018-48

Mr. Sroka reported the following:

- Praised Glenn Roth for his dedication and hard work during the recent storms.

c. Mayor’s Report

Mayoral Appointments – Manuel Fernandez as the Planning Board Member Liaison to UTEC.

- Mentioned that Public Safety Coordinator Marc Strauss and Fire Chiefs from all fire companies serving Union Township had met two weeks ago to discuss ongoing issues.
- Mentioned directional sign to Pilot at Rupell Road/Route 173 damaged by storm needs to be reinstalled. Mr. Hermann will be asked to check conditions of other signs in the Township.
- Mentioned a controversial application before the Bethlehem Township Planning Board.
- Received call from Coachman Drive resident regarding Comcast cable access. Contacted Comcast representative regarding the matter. Will follow up.
- Asked for volunteers to establish a Comcast Cable Franchise Committee. Mr. Sroka will Chair the Committee.
- Mentioned that State Aid amount received will remain the same as 2017.

15. PUBLIC COMMENTS – None

16. PAYMENT OF BILLS

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date, March 7, 2018 and March 21, 2018 paid and that all checks listed hereinafter issued in payment thereof.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Hirt		X	X			
Mr. Sroka	X		X			
Mr. Neary			X			
Mr. Mazza			X			

Motion carried

17. EXECUTIVE SESSION – held at the beginning of the meeting

18. ADJOURNMENT

There being no further business to come before the Township Committee at this time Mr. Sroka made a motion to adjourn the meeting at 8:39 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Grace A. Kocher, Deputy Clerk

Matt Severino, Mayor