

1. CALL TO ORDER

Mayor Mazza called the meeting to order at 7:03 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. Mazza	x	
Mr. Hirt	x	
Mr. Stiger		x
Mr. Stothoff	x	

Also present J.P. Jost, Attorney; Robert Clerico, Engineer; Jonathan Drill, Special Legal Counsel; Grace Brennan, CFO; and Ella M. Ruta, Municipal Clerk.

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of June 5, 2019
- b. Regular and Executive Session Meeting Minutes of June 19, 2019

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Mr. Stiger						x
Mr. Stothoff	x		x			

Motion carried

NJ State Trooper Sanderson submitted a written monthly traffic violation report to Atty. Jost. He updated the Committee on recent burglaries that occurred in the Township. Trooper Sanderson asked if the Committee would be interested in registering outside cameras installed on private properties. He emphasized that registration would be voluntary. He said it would be helpful in identifying suspects.

Out of Agenda order

6. EXECUTIVE SESSION – Action may be taken following Executive Session

The following Resolution was introduced for adoption:

**RESOLUTION #2019-79
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

MINUTES OF REGULAR MEETING July 17, 2019

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.
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.

MINUTES OF REGULAR MEETING July 17, 2019

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in public session on July 17, 2019 at 7:11 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			
Mr. Stiger						
Mr. Stothoff		x	x			

Motion Carried

The Committee returned to regular meeting session at 7:29 p.m.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Mr. Stiger						x
Mr. Stothoff			x			

Motion Carried

Back to Agenda order

7. VISITORS

- a. James Panella, 325 Gano Road – not present for the meeting

The following speakers were not scheduled under visitors:

Michelle Norelli, Township resident expressed frustration with her private garbage hauler services. She said the trash has not been picked up in weeks after Republic Services acquired Premier Disposal. Mr. Stothoff offered to contact Republic Services regarding the issue.

Anthony and Sandra Russo residing at 35 Finn Road complained about erosion of the road and a ditch in front of their driveway every time it rains. Mayor Mazza said he would contact the Department of Road and Facilities to clean the drainage pipe.

8. REPORTS RECEIVED – Acknowledged and briefly discussed

- a. Road Dept.- Week Ending; 6/14/19; 6/21/19; 6/28/19; 7/05/19

Mr. Stothoff said he was contacted by a resident about dead trees at the intersection of Deerfield and Bellwood. He said he is not sure if they are in a right of way. Mayor Mazza said he would contact DR&F Forman to check if the trees are in the Township’s right of way.

Mr. Stothoff stated that there was a coyote seen on his property recently.

- b. Animal Control Officer – June 2019
- c. Public Safety Director – submitted a written report

- Communicated with Norfolk Southern RR regarding safety concerns at the RR Crossing on Perryville Road. Awaiting response.
- No resolution yet with regard to camper parked in front of 8 Partridge Run
- Animal Control Officer handled unregistered and barking dogs at 16 Henderson Road. Mr. Severino said that he followed up with one of the complainants and was told the situation has vastly improved. Mr. Strauss said he contacted NJ State Police regarding this matter.

d. Engineer’s Report

- NJ DOT Traffic Signs by Exit 12 will be installed next week.
- Frontage Road overlay project will start next week. All affected by the road closure received notification.
- Letter from NJ DOT was received with regard to a Grant for Baptist Church Road Section I. The project has to be completed by March 2021.
- Deadline for 2020 State Aid Applications is this Friday. As discussed at previous meeting two resolutions are scheduled on tonight’s agenda for Committee’s approval.
- Spoke with Mr. Pannella, 325 Gano Road. Looked at his property and suggested that a drainage pipe could be put in a ditch to alleviate the water runoff problem. Road Opening Permit would be required.

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Stothoff mentioned the following not related to correspondence:

- Was contacted by Mr. Gronski from the Union Twp. Historical Society asking that they be placed on the Township’s website redesign. Will be in contact with Mr. Gronski.

9. PUBLIC COMMENTS

Don Van Fossen, 407 Bellwood Avenue briefly explained drainage issue on his driveway due to a road erosion. Mayor Mazza said he would investigate.

10. PUBLIC HEARING – Atty. Jost read the Ordinance #2019-9 by title

ORDINANCE 2019 – 9

AN ORDINANCE AMENDING THE LAND USE CHAPTER OF THE CODE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY REGARDING VR VILLAGE RESIDENTIAL DISTRICT

To open Public Hearing

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt			x			
Mr. Stiger						x
Mr. Stothoff		x	x			

Motion carried

At this time, Atty. Jost said that Special Counsel Drill, Esq. is present for the meeting and will give a testimony regarding the Ordinance.

Atty. Jost swore in Special Counsel Drill.

Atty. Drill stated that Ordinance #2019-9 was introduced at the June 19, 2019 Township Committee meeting and published according to law. Public Hearing is scheduled for tonight. The reason for the testimony tonight is Attorney Drill’s suggestion to the Committee that a few insubstantial changes be made to the Ordinance. Atty. Drill said he would like to explain the changes and answer questions, if any, from the Committee or the Public. He read the first “Whereas” paragraph and noted insubstantial changes to the Introduced Ordinance. The only other insubstantial changes to the Ordinance that was introduced he said are in “Footnotes” #5 and #6. He explained that the changes are not to the substance of the Ordinance they are just clarifications. He said it is a hope that if this Ordinance is adopted tonight, the Fallone Group. LLC will not file a lawsuit challenging Ordinance #2019-7. He added that even if they do, in his opinion, the adoption of Ordinance #2019-9 would help defend any such lawsuits. Finally, Atty. Drill said it is his recommendation that Ordinance #2019-9 be adopted with the insubstantial changes just read into the record and asked for questions from the Committee and the Public.

Atty. Jost addressed Atty. Drill and asked if it is his position that the changes outlined are not substantive changes but merely clarification of the Ordinance. Atty. Drill answered, “that is correct”.

Mayor asked for questions from the Public. There was no comments/questions from the Public

To close the Public Hearing

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt			x			
Mr. Stiger						x
Mr. Stothoff		x	x			

Motion carried

To adopt on the second reading

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Mr. Stiger						x
Mr. Stothoff	x		x			

Motion carried

11. OLD BUSINESS

a. **Discussion** – Code Enforcement Officer

Discussion regarding hiring a separate employee from the Zoning Officer to enforce Township’s Code and issuing violations as a Code Enforcement Officer. Hours and salary for the position were briefly mentioned.

b. **Discussion** - NJDOT-2020-Municipal Aid Applications – discussed earlier in the meeting and to be considered for approval under New Business section of the meeting.

12. NEW ORDINANCES

NOTICE

PLEASE TAKE NOTICE that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 17 day of July 2019. 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 21 day of August 2019, 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 2019 – 10

AN ORDINANCE AMENDING CHAPTER VII, TRAFFIC, OF THE CODE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY REGARDING PARKING

BE IT ORDAINED and enacted by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that Chapter VII, TRAFFIC, of the Code of the Township of Union is hereby amended as follows (deletions ~~thusly~~, additions thusly):

I. Amend Section 7.10 as follows:

7-10 STOPPING OR STANDING OF CERTAIN TRUCKS, VEHICLES AND TRAILERS PROHIBITED.

No person shall stop or stand a truck, tractor, trailer, semi-trailer, or vehicle, having a registered gross vehicle weight (GVW) in excess of four (4) tons ~~or omnibus having a registered gross vehicle weight (GVW) in excess of ten (10) tons~~, a school bus, any other type of bus, recreational vehicle, motorhome, camper, boat or trailer, at any time upon any of the streets or parts of streets described, except for pick-ups and deliveries, contractor vehicles actively engaged in construction, repairs or maintenance of buildings, trees or vegetation on the adjoining property, or governmental and public utility vehicles engaged on official business. (Ord. No. 2012-1)

<i>Name of Street(s)</i>	<i>Side(s)</i>	<i>Locations</i>
All streets	Both	All

Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause of provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Repealer. All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

Effective Date. This Ordinance shall take effect immediately after final passage, adoption and publication according to law.

Attest:

Ella M. Ruta, Municipal Clerk

Frank Mazza, Mayor

First Reading: July 17, 2019
 Publication: July 25, 2019
 Public Hearing/Adoption: August 21, 2019
 Published by August 29, 2019

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Mr. Stiger						x
Mr. Stothoff			x			

Motion carried

13. NEW BUSINESS

a. The following Resolution was introduced for approval:

RESOLUTION #2019-80
TOWNSHIP OF UNION, HUNTERDON COUNTY

AUTHORIZING THE TAX COLLECTOR TO CONTRACT WITH REALAUCTION.COM TO COMPLETE TAX SALE FOR 2018

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Tax Collector has only been able to obtain one company that is conducting Electronic Tax Sales in New Jersey that follow the rules and regulations of the Division of Government Services,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, that the Tax Collector is hereby authorized to contract with RealAuction.com to complete an electronic tax sale for the 2018 outstanding delinquencies.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Mr. Stiger						x
Mr. Stothoff			x			

Motion carried

b. The following Resolution was introduced for approval:

RESOLUTION #2019-81

TOWNSHIP OF UNION, HUNTERDON COUNTY

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year **2018** has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations”, and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Union, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt		x	x			
Mr. Stiger						x
Mr. Stothoff			x			

Motion carried

c. The following Resolution was introduced for approval:

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Township of Union
Resolution No. 2019-82

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvement to Baptist Church Road – Section 2B project.

NOW, THEREFORE, BE IT RESOLVED that Council of Union Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Improvements to Baptist Church Road-00424 to the New Jersey Department of Transportation on behalf of Union Township.

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

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		x	x			
Mr. Mazza			x			
Mr. Hirt			x			
Mr. Stiger						x
Mr. Stothoff	x		x			

Motion carried

d. The following Resolution was introduced for approval:

Township of Union
Resolution No. 2019-83

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvements to Van Syckle’s Corner – Section 1 project.

NOW, THEREFORE, BE IT RESOLVED that Council of Union Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020-Improvements to Van Syckle’s Corner-00425 to the New Jersey Department of Transportation on behalf of Union Township.

BE IT FURTHER RESOLVED that Frank T. Mazza, Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Union Township in Hunterdon County and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			x			
Mr. Mazza			x			
Mr. Hirt		x	x			

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Mr. Stiger						x
Mr. Stothoff	x		x			

Motion carried

- e. **Motion to Approve:** – Pilgrimage (St. Peter & Paul Church) walking through the Township, August 9, 2019

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	x		x			
Mr. Mazza			x			
Mr. Hirt						x
Mr. Stiger		x	x			
Mr. Stothoff			x			

Motion carried subject to submission of Liability Insurance

14. REPORTS

a. **Attorney’s Report**

- Asked the Mayor to sign a three years Milligan Farm Lease approved at the last Township Committee meeting.

b. **Committee Report**

Mr. Stothoff reported the following:

- Has been in contact with new Website Master. Person responsible for content transfer is out this week. Will be contacting them next week.

c. **Mayor’s Report**

- Asked if the Committee would like to consider Ordinance #2019-005 that came from another town exempting military, volunteer fire and rescue, veterans from all municipal fees. Would like to discuss it further at the next Committee meeting. Mayor will resend email with a copy of the Ordinance to the Clerk and Committee members.

15. PUBLIC COMMENT – none

16. PAYMENTS OF BILLS –

The approved lists 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			
Mr. Stiger						x
Mr. Stothoff	x		x			

Motion Carried

17. EXECUTIVE SESSION – conducted earlier in the meeting

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 8:24 p.m. Mr. Stothoff seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Ella M. Ruta, Municipal Clerk

Frank Mazza, Mayor