

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. Stothoff	X	
Mr. Mazza	X	

Also present: J.P. Jost, Attorney, Robert Clerico, Engineer, and Ella M. Ruta, Twp. Clerk

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Re-organizational Meeting of January 4, 2017

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

Motion carried

- b. Regular Meeting Minutes of January 4, 2017

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

Motion carried

OUT OF AGENDA ORDER

15. EXECUTIVE SESSION

The following Resolution was introduced for adoption:

RESOLUTION #2017-24

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. _____ 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 18, 2017 at 7:04 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
Mr. Severino			X			
Mr. Hirt		X	X			
Mr. Sroka			X			
Mr. Stothoff			X			
Mr. Mazza	X		X			

Motion Carried

The Committee returned to regular meeting session at 7:36 p.m.

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

Motion Carried

6. VISITORS

a. EMS - Appreciation for retiring Barbara Sadusky of Pattenburg Rescue Squad

Mr. Mason, Captain of the Pattenburg Rescue Squad, on behalf of the Squad expressed their heartfelt appreciation to retiring President Barbara Sadusky. He said Ms. Sadusky was a founding member, served for thirty years and was the President for the last ten years.

Mayor Severino extended appreciation to Ms. Sadusky for her service and dedication from the Township Committee.

b. Jens Duerr – Recreation Committee Chairman

Mr. Duerr apprised the Committee about continuing vehicular damage occurring at Finn Road Park. Mentioned that Bethlehem Township has been experiencing similar problems. Mayor Severino said he had contacted Trooper Brian Walsh about the matter. The Committee discussed options to deal with the issue, including closing of gates during winter months. It was mentioned that Millbrook Park has experienced problems as well. A report will be filed with The Township’s Insuror.

7. REPORTS RECEIVED - Acknowledged

- a. Road Dept.- Week Ending; 12/26/16; 1/06/17
 - b. Municipal Court – December 2016
 - c. Animal Control Officer – December 2016
 - d. Engineer’s Report
- 2017 NJDOT Municipal Aid Application – Application will be filed next week.
 - Perryville Road Railroad Crossing – Spoke with Railroad Representative who indicated he would send someone to the site.
 - Frontage Road Bridge – No response from NJDOT.
 - Frontage Road – Mayor Severino mentioned a monstrous pothole by Maglio Electric property on Frontage Rd. Mr. Hirt offered to call NJDOT.

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

9. PUBLIC COMMENTS - No comments from the Public

10. PUBLIC HEARING - None

11. OLD BUSINESS - None

12. 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 18th day of January, 2017. 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 15th day of February, 2017, 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 2017-1
AN ORDINANCE AMENDING
THE LAND USE CODE OF THE TOWNSHIP OF UNION,
HUNTERDON COUNTY, NEW JERSEY
REGARDING ROOF-MOUNTED SOLAR AND PHOTOVOLTAIC PANELS

BE IT ORDAINED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that the Land Use Code of the Township of Union, Chapter XXX, LAND USE, is hereby amended as follows (additions thusly; ~~deletions~~ thusly):

- 1. Section 30-5.5, Use Regulations, Subsection f. 6. (a) is hereby amended as follows:**
- 6. F-6 Renewable Energy Facility.
- (a) Solar and Photovoltaic Facilities.

* * *

MINUTES OF REGULAR MEETING January 18, 2017

- (3) Accessory Use Requirements. The following requirements shall apply to solar and photovoltaic facility accessory uses whether they are residential scale renewable energy facilities or accessory to commercial uses.
 - (i) Solar and photovoltaic panels shall be permitted to be mounted to principal and accessory structures and buildings or ground mounted.
 - (ii) A zoning permit must be issued for all systems.
 - (iii) Roof-mounted systems shall be mounted ~~generally~~ parallel to the roof angle and shall not exceed a height of twelve (12) inches above the roofline and shall not extend above the ridge of the roof. Notwithstanding, systems shall not exceed the maximum building height in the zone district.
 - (iv) Ground systems shall meet the side and rear yard setback standards for accessory structures in the zone which the structure is located.
 - (v) Ground systems shall not be located between a building line and a public street (i.e. ground systems shall not be located in a front yard.
 - (vi) Ground-mounted systems contained within an area of one thousand (1,000) square feet or greater shall be screened from public rights-of-way and residential uses. A solid screen of plantings shall be provided along rights-of-way and plantings or a solid fence shall be provided along property lines shared with a residential zone district. The minimum height of the screening shall be five (5) feet. Existing vegetation shall be retained to the extent practical.
 - (vii) ~~Roof-mounted systems shall not be located facing the street.~~

- 2. **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.
- 3. **Repealer.** All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.
- 4. **Effective Date.** This Ordinance shall take effect after final passage, adoption and publication according to law, and upon the filing of a copy of this Ordinance with the Hunterdon County Planning Board pursuant to N.J.S.A. 40:55D-16.

Attest:

Ella M. Ruta, Municipal Clerk

Matt Severino, Mayor

First Reading: January 18, 2017
 Publication: January 26, 2017
 Public Hearing: February 15, 2017
 Adoption/Publication: February 23, 2017

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

Motion Carried

13. NEW BUSINESS

The following resolution was introduced for approval:

RESOLUTION #2017-25

**UNION TOWNSHIP; HUNTERDON COUNTY
TONNAGE GRANT APPLICATION for 2016**

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants for calendar year **2016** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Union, Hunterdon County to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is property completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Joseph Peake to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

Motion carried

The following resolution was introduced for approval:

**RESOLUTION 2017-26
Excavation Bond Refund Block 34 Lot 29.05
Brian Plushanski Construction Co., Inc.
78 Route 173 West, Suite 1
Hampton, NJ 08827**

WHEREAS, Brian Plushanski Construction Company , did post an excavation bond, in the amount of \$500.00, for work performed at Block 34 Lot 29.05, and

WHEREAS, the work and inspections are complete,

NOW, THEREFORE, BE IT RESOLVED, that the excavation bond in the amount of \$500.00, be released to Brian Plushanski Construction Co.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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

Motion carried

14. REPORTS

a. Attorney’s Report

- Peddler’s Ordinance – Information on Holland Township’s Ordinance distributed at the last Committee Meeting. To be carried until the next Meeting. Mayor Severino said the License should initially be handled through Department of Community Affairs.
- Distributed draft letter to Regional Postmaster regarding relocating municipal mailbox. Mr. Stothoff offered to contact Hampton Postmaster before sending the letter. He said he will prepare a diagram of ingress and egress for mail delivery truck.

b. Committee Report

Mr. Mazza reported the following:

- Paying Township invoices – Would like the list of bills for payment to be ready for review and signatures on Friday prior to meetings. The CFO Brennan will be contacted about the matter.

Mr. Stothoff reported the following:

- Attended Orientation Seminar for Elected Officials this past Saturday. Said it was very informative and beneficial. Received attendance certificate.

Mayor’s Report

- Electronic Waste Bill – Signed by Governor. Provides financial relief to Municipalities that accept electronics as part of their recycling program or create a program to drop off at distributors.
- Clean Communities Coordinator – Mentioned Joe Peake/UTEC Member as possibility.
- Asked Atty. Jost about litigation at Bernard’s Township with regard to the Planning Board’s denial of an application for a mosque. Atty. Jost said he had limited information on the case.

15. PUBLIC COMMENTS – No comments from the Public

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 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			
Mr. Sroka			X			
Mr. Stothoff		X	X			
Mr. Mazza	X		X			

Motion carried

18. ADJOURNMENT

There being no further business to come before the Township Committee at this time Mr. Stothoff made a motion to adjourn the meeting at 8:26 p.m. Mr. Mazza seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Grace A. Kocher, Deputy Clerk

Matt Severino, Mayor