

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, P.E., and Municipal Clerk Ella M. Ruta.

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of September 20, 2017

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

6. VISITORS

7. REPORTS RECEIVED - Acknowledged

- a. Road Dept.- Week Ending; 9/15/17; 9/22/17
 - b. Zoning – August & September 2017
 - c. Public Safety Coordinator – Not present at this time.
 - d. Engineer’s Report
- Municipal Aid Grant – Application due by October 6, 2017. Request is for funding Perryville Road Section 4B and Frontage Road Section 2.
 - Municipal Storage Building – Resolution is on tonight’s agenda regarding the award of the Contract.
 - Exit 11 Construction Project – Work has not been completed. Mr. Clerico will contact the State for a status report.
 - MILN, LLC, Former Red Hills Quarry – Municipal Clerk issued the 2017 License on Friday September 29, 2017.
 - Exit 13 Sign – Received information from NJDOT that the Sign will be changed from Yield to Stop.
 - Perryville Road Railroad Crossing – Updated the Committee on discussion with Railroad Representative.

- Pilot Travel Center LLC - An inspection of the Site is set for next week.
- FY 2018 Local Freight Impact Fund State Grant – Thought it pertained to more urban municipalities.

OUT OF AGENDA ORDER

Marc Strauss, Public Safety Coordinator – Reported incidents on Route 78, conferring with Fire Companies about issues.

Mr. Strauss commented favorably on Community Day. Thanked Mr. Hirt for his efforts.

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS – no comments

9. PUBLIC COMMENTS - none

10. PUBLIC HEARING – 2nd Reading

ORDINANCE 2017 – 8

**AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF UNION,
HUNTERDON COUNTY, NEW JERSEY
REGARDING PROPERTY MAINTENANCE**

To open

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

Motion carried by Unanimous Voice Call Vote

To close

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

Motion Carried by Unanimous Roll Call Vote

To adopt

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

11. OLD BUSINESS

Mr. Stothoff stated he will be working on revisions to the Driveway Ordinance. He said the use of recycled asphalt for roads in the Township will be addressed in the Ordinance.

12. NEW ORDINANCE – 1ST Reading - none

NOT SCHEDULED ON THE AGENDA

State Police Trooper Walsh – Nothing of significance to report.

13. NEW BUSINESS

- a. **Motion to Approve:** Mayor Severino asked for a motion to approve the Proclamation in support of residents of NJ afflicted with Fibrodysplasia Ossificans Progressiva (FOP)

***Proclamation
Township of Union
Hunterdon County***

WHEREAS, The Township of Union, having made this Proclamation on behalf of Fibrodysplasia Ossificans Progressiva known as F.O.P. to hopefully one day display a Proclamation/Resolution book in Washington, D.C. on behalf and in support of the children/young adults in the state of New Jersey afflicted with F.O.P. and equally show concern for all other children afflicted with F.O.P.; and

WHEREAS, Gary W. Whyte, of Mountainside, New Jersey, having just completed his 13th Annual Comedy Show Fund Raiser for F.O.P. in which monies raised go directly towards the purchase of research equipment. And Michele Charlesworth of Channel 7 Eyewitness News who attended the March fund raiser and spoke about it on her Sunday morning broadcast the next day; and

WHEREAS, Fibrodysplasia Ossificans Progressive is a rare genetic condition in which the body makes additional bone where bone should not form, such as within muscle, tendons, ligaments and other connective tissues. Symptoms of FOP include excruciating pain and distortion of the existing skeletal frame; and

WHEREAS, A gene has been identified after 15 years of hard research by the University of Pennsylvania, the only known research facility currently investigating a cure for this; and

WHEREAS, Discoveries made in the F.O.P. lab by scientists and researchers may aid in the treatment or cure for other genetic diseases such as osteoporosis, arthritis, and spinal cord injuries; and

WHEREAS, The symptoms of FOP usually begin in the first or second decade of life, with the majority of patients diagnosed by age 10, depriving children of normal development. One in every seven Americans suffers from musculoskeletal impairment causing physical disability and severe long-term pain. FOP affects approximately 2,500 people worldwide; and

WHEREAS, The Township of Union commends Gary W. Whyte and his wife and three sons for their outstanding dedication in making others aware of this affliction and for their work and support for the benefit of F.O.P. research;

THEREFORE, Honorable Matt Severino, Mayor of the Township of Union in Hunterdon County, State of New Jersey does hereby proclaim to acknowledge and help enlighten the people of the United States with the book being sent to Washington, D.C. emphasizing the needed awareness of F.O.P.

**GIVEN UNDER MY HAND
AND SEAL OF THE
TOWNSHIP OF UNION,
THIS 4th DAY OF OCTOBER, 2017**

MATT SEVERINO, MAYOR

MINUTES OF REGULAR MEETING October 4, 2017

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

- b. **Motion to Approve:** Mayor Severino asked for a motion to approve the request to put barricades in the Brass Castle neighborhood on Halloween.

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

OUT OF AGENDA ORDER

- c. The following resolution was introduced for adoption:

RESOLUTION #2017-91

WHEREAS, the Township of Union advertised, and subsequently received bids, for a DPW Vehicle Storage Garage on September 28, 2017 as outlined on the attached bid summary and;

WHEREAS, five (5) bids was received for the contract as follows:

<u>Contractor</u>	<u>Lump Sum Bid</u>
Security Structures, Inc.	\$108,390.00
Dutchman Contracting	\$128,396.00
DeSapio Construction, Inc.	\$149,800.00
Cypreco Industries, Inc	\$163,113.00
Brunswick Builders, LLC	\$199,333.00

WHEREAS, the Township Attorney, J. Peter Jost, Esq. and the Township Engineer Robert J. Clerico have reviewed the submitted bids and determined that Security Structures, Inc, from Basking Ridge, NJ submitted the lowest responsive bid in the amount of \$108,390.00 for the DPW Vehicle Storage Garage Project and;

WHEREAS, the Township of Union has sufficient funds to award a contract based upon this bid

NOW THEREFORE, BE IT RESOLVED by the Mayor and Committee of the Township of Union that the contract for the DPW Vehicle Storage Garage project be and is hereby awarded to Security Structures, Inc, 125 Martinsville Road, Basking Ridge, NJ 07950 for their bid in the amount of \$108,390.00 subject to the following conditions:

- 1. The Contract is awarded as a lump sum price bid Contract and final payment will be based upon the lump sum price bid, as outlined in the Plans and Specifications prepared by Robert J. Clerico, P.E.

Motion to Approve: Mayor Severino asked for a motion to approve the Bid for the DPW Vehicle Storage Garage at a cost of \$108,390.00.

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

- d. The following resolution was introduced for adoption:

**RESOLUTION #2017-92
UNION TOWNSHIP, HUNTERDON COUNTY**

**ESTABLISHING AND DECLARING A JUVENILE CURFEW IN THE
TOWNSHIP OF UNION**

WHEREAS, P.L. 1992, Chapter 132 (N.J.S.A. 40:48-2.52 et seq.) authorizes and empowers a municipality to enact an ordinance making it unlawful for a juvenile of any age under 18 years within the discretion of the municipality to be on any public street or in a public place between the hours of 10:00 p.m. and 6:00 a.m. unless accompanied by the juvenile’s parent or guardian, or unless engaged in, or traveling from, a business or activity which the laws of this State authorize a juvenile to perform and making it unlawful for any parent or guardian to allow an unaccompanied juvenile to be on any public street or in any public place during those hours; and

WHEREAS, the Township Committee of the Township of Union on October 6, 1993, adopted on final reading “An Ordinance to Provide for the Establishment of a Curfew for Juveniles in the Township of Union and Providing Penalties for the Violation thereof”; and

WHEREAS, said Ordinance provides that whenever the Governing Body shall determine the need for a curfew for juveniles, the Governing Body may by resolution declare a curfew in the municipality for a period of not more than 90 days and for such hours and under such conditions as may be prescribed by the Township Committee, provided that such curfew shall commence not earlier than 10:00 p.m. and shall end not later than 6:00 a.m. during each of the curfew dates established;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union as follows:

- 1. Establishment of Juvenile Curfew. A juvenile curfew is hereby established and declared in the Township of Union commencing at 10:00 p.m. and ending at 6:00 a.m. of the following day, during each of the following curfew dates:

Monday, October 30, 2017
Tuesday, October 31, 2017; Trick or Treat Hours 12:00 p.m. to 9:00 p.m.

- 2. Condition of Curfew. During the curfew established herein, it shall be unlawful for any juvenile under the age of 18 years to be on any public street, or in a public place, either on foot or in a vehicle, within the Township of Union during the above designated times.

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3. Exception to Curfew. The above-established curfew shall not apply to a juvenile:
 - a) When the juvenile is engaged in an errand involving a medical emergency;
 - b) When the juvenile is in attendance at an extra-curricular school activity, or an activity sponsored by a religious or community-based organization, or other cultural, educational, or social events;
 - c) When work time of the juvenile who is gainfully and lawfully employed overlaps the curfew hours.
 - d) When the juvenile is an attendant as a bona fide student at an evening school of institution.
 - e) When the juvenile is accompanied by a parent or guardian or other adult having the care and custody of the juvenile.
 - f) When the juvenile is on an emergency errand or legitimate business directed by the juvenile's parent/guardian.
4. Responsibility of Parent or Guardian. During the curfew herein established, it shall be unlawful for any parent or guardian of a juvenile to allow an unaccompanied juvenile to be on a public street or in any public place in violation of the above-referenced Ordinance and the curfew established hereunder.
5. Posting, Publication and Distribution of Curfew Notice. Copies of this Resolution shall be posted in such public or quasi-public places as may be designated by the Township Committee and may be published in such newspapers as the Township Committee shall designate. Copies shall also be supplied to area schools with a request that they make students aware of the curfew. Failure to post, publish or distribute this Resolution shall not relieve any person from the obligation of complying with the terms of the curfew imposed hereunder.
6. Notification to Law Enforcement Agencies. Certified copies of this Resolution and the above-referenced Ordinance shall be sent by the Municipal Clerk to law enforcement agencies, including the Municipal Police Department, if any, and the New Jersey State Police.

Motion to Approve: Mayor Severino asked for a motion to establish and declare a juvenile curfew in the Township of Union on Monday October 30, 2017 and Tuesday October 31, 2017.

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

- Working with other municipal attorneys on a Licensing Agreement for Verizon/Tilson request to install nodes.
- The Quakertown Fire Company has submitted a tax-exemption application for a property they own in Union Township.
- Mentioned a disabled veteran is seeking a tax exemption for his residence.
- Derelict Property in Pattenburg – Work is progressing.
- Matter for Executive Session.

b. Committee Report

Mr. Mazza reported the following:

- Public Safety Coordinator Position – Mr. Mazza recommended permanently hiring Marc Strauss for the position instead of 90-day appointments. He asked Atty. Jost for the previously circulated Ordinance creating the Public Safety Coordinator Position. Mr. Jost said he will recirculate the Draft Ordinance. Mayor Severino said the matter would be discussed at the next meeting.
- Part-time Seasonal Employee – Asked the Committee their opinion about hiring Daniel Baker on an as needed basis. Mayor Severino suggested Mr. Mazza contact CFO Brennan regarding appropriated funds.
- Concerns about Committeeman Hirt:
 - ✓ mentioned Freeholder Susan Lagay coming to one of the TC meeting talking about economic development and Bruce was out of line with his comments to her. The next day I called her and apologized to her for his comments.
 - ✓ mentioned Mrs. Nichole Ertle and the milling's that Mr. Hirt put down on the private lane and how he confronted her at the meeting and was asked by Peter to step down and sit in the audience.
 - ✓ also mentioned the Mayor of Alexandria Township's letter to the Mayor. Talking about the employee's that felt belittled and offended by his actions when he went to discuss Race St signage.
- Mentioned an e-mail from Mark Saluk, Hunterdon County Economic Development Director – E-mail stated Hunterdon County is looking for a site for a possible distillery.

Mayors Report

- Mr. Severino mentioned the presentation by Freeholder Rob Walton and High Bridge Fire Department Member Drew Stevens at the last Committee meeting regarding the proposed Countywide Fire Department. He asked the consensus of the Committee regarding the proposal. A straw poll taken indicated there was no interest in the proposal. Mayor Severino will convey the Committee’s decision to Messrs. Walton and Stevens.

8. PUBLIC COMMENTS

- Stacy Strycky, 53 Cooks Cross Road resident, read a letter addressed to the Committee regarding her concern for the fees she was charged for repaving her driveway.
- Lynn Munro, Pattenburg resident, asked if she could get a copy, Mr. Stothoff was referring to of the State Guidelines pertaining to millings. Mr. Hirt provided his copy. Ms. Munro also asked the projected date for completion of the overpass. The Engineer will contact the State.

9. 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	X			
Mr. Sroka						X
Mr. Stothoff	X		X			

Mr. Mazza			X			
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Motion carried

10. EXECUTIVE SESSION

The following Resolution was introduced for adoption:

RESOLUTION #2017-93
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

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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. _____ 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 October 4, 2017, at 7:54 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
Mr. Stothoff	X		X			
Mr. Mazza		X	X			

Motion Carried

The Committee returned to regular meeting session at 8:22 p.m.

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	X			

Motion Carried

Mayor Severino asked for the following motion after reconvening into regular session of the meeting:

To refund the Driveway escrow fee to Tracy Strycky as she requested.

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

17. 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 8:25 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