

**1. CALL TO ORDER**

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

- 2. **"Sunshine Law" Announcement**-Adequate notice of this public meeting has been provided by the Annual Notice; posted on Union Township website, published in the Hunterdon County 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	
Ms. McBride		X
Mr. Bischoff	X	
Mr. Mazza	X	

Others present: J.P. Jost, Attorney and Ella M. Ruta, Municipal Clerk

**5. APPROVAL OF PRIOR MEETING MINUTES**

- a. Regular Session Meeting Minutes of July 13, 2016

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

Motion Carried

**6. VISITORS**

**7. REPORTS RECEIVED - ACKNOWLEDGED**

- a. Road Dept.- Week Ending; 7/08/16; 7/15/16; 7/22/16
- b. Zoning Report – July 2016
- c. Municipal Court – June 2016 – Mr. Bischoff noted that revenues were down.
- d. Engineer’s Report – Not Present

**8. CORRESPONDENCE / WRITTEN COMMUNICATIONS**

Mr. Severino mentioned the following correspondence:

- Asked about Subordination Agreement – Atty. Jost explained. Pertained to an \$8,000.00 COAH related rehab loan.
- Mayor Mazza had a question about an e-mail pertaining to submission of the annual recycling tonnage report. Mr. Severino said that it is in the preparation process.

Mr. Bischoff mentioned the following correspondence:

- COAH “Gap” – Reported the Appellate Division has issued a ruling regarding calculations of housing units.
- Transportation Trust Fund – Reported on proposal to replenish the Fund.

**9. PUBLIC COMMENTS**

- Bill Zarbock, Pittstown, NJ, Brass Castle Resident and Homeowners’ Assn., President, voiced a concern about fundraising letters from Pattenburg Volunteer Fire Company. Emphasized that Quakertown Fire Company serves Brass Castle.

**10. PUBLIC HEARING – 2<sup>nd</sup> Reading****11. OLD BUSINESS – none****12. NEW ORDINANCE – 1<sup>st</sup> Reading**

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

**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 3<sup>rd</sup> day of August, 2016. 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 7<sup>th</sup> day of September, 2016, 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Rd., Hampton, NJ at which time all interested parties will be heard.

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Ella M. Ruta, Municipal Clerk

7/28/16

**ORDINANCE 2016 - 7  
AN ORDINANCE AMENDING SECTION 2-14  
OF THE CODE OF THE TOWNSHIP OF UNION,  
HUNTERDON COUNTY NEW JERSEY  
REGARDING THE UNION TOWNSHIP FIRE DEPARTMENT**

**BE IT ORDAINED** by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey that Chapter II, Article IV, Section 2-14, **Fire Department**, of the Code of the Township of Union is hereby deleted and replaced with following:

**2-14 FIRE DEPARTMENT.****2-14.1 Establishment; Composition.**

The Pattenburg Volunteer Fire Company, heretofore organized as a non-profit organization, is hereby authorized, established and continued as the official Fire Department for the Township of Union, along with such additional Companies of said Fire Department as the Township Committee may hereafter authorize and approve (hereinafter “Fire Company”). The Fire Company must comply with all the requirements of this

Chapter and any rules or regulations promulgated thereunder to remain the designated Fire Company of the Township of Union.

#### 2-14.2 Qualifications for Membership; Officers.

- A. **Regular officers and members.** Officers and members of the Fire Company shall be 18 years of age or more and shall be chosen and admitted to membership in accordance with the bylaws of the Fire Company, subject to approval and confirmation by the Township Committee.
- B. **Junior members.** Junior members shall be no less than 16 years of age nor more than 18 years of age and shall be chosen and admitted as junior members in accordance with the bylaws of the Fire Company, subject to approval by the Township Committee. Junior members shall only do those activities allowed by law for persons of their age and shall be supervised at all times by active members of the Fire Company.
- C. **Application Procedure.** Every person seeking to join the Fire Company shall make application to the Fire Company in accordance with this chapter and the by-laws of the Fire Company. Upon approval of his/her membership in the Fire Company, and appointment by the Union Township Committee, said person shall become a member in good standing of the Fire Company, and his/her name shall be entered on the Role of Active Firefighters kept by the Township Personnel Administrator.
- D. **Physical Examination.** As part of the application process, and prior to appointment every applicant for active or reserve membership in the Fire Company must pass a physical examination by a practicing physician in the State of New Jersey, certifying that the applicant is fit for firefighting duties. A copy of all certifications shall be provided to the Township Personnel Administrator.
- E. **Firefighter Certifications.** Every active and reserve member of the Fire Company shall, at minimum, be certified as a Firefighter-1 in the State of New Jersey. Every line officer must obtain an Incident Management Level 1 certification prior to assuming any line officer position. A copy of all certifications shall be provided to the Township Personnel Administrator.
- F. **NIMS Requirements.** All Members shall stay current with the National Incident Management System (NIMS) requirements.
- G. **Mandatory Requirements.** Any member failing to meet any of the above requirements or any requirement mandated by the New Jersey Department of Community Affairs, Division of Fire Safety shall be cause for immediate removal of the member from the Fire Company, and discipline, up to termination, of the Chief of the Fire Company.
- H. **Line Officers.** Appointment of line officers shall be subject to approval and confirmation by the Township Committee, with the exception of the appointment or election of the Chief of the Fire Company, which shall remain the prerogative of the membership of the Fire Company as set forth in the Company's Certificate of Incorporation or by-laws in accordance with NJSA 40A:14-68(a).
- I. **Qualifications of Members and Officers.** All active and reserve members of the Fire Company shall undergo medical and fitness evaluations in accordance with recommendations of the National Fire Protection Association (NFPA). Copies of all medical and fitness evaluation results, mandatory training documents and certifications for all active Fire Company officers and

members shall be filed with the Township Personnel Administrator.

### **2-14.3 Amount of Duty Required.**

Every active member of the Fire Company shall, in each and every year, perform at least fifty (50%) percent of duty to be composed of actual attendance and duty at fires and drills, in accordance with requirements of the New Jersey State Fireman's Association. A record shall be kept of such attendance and duty by the Chief of the Fire Company and reported to the Mayor and Township Committee annually.

### **2-14.4 Responsibility of the Fire Company.**

- A. If at any time, the Fire Company becomes non-compliant with any section of this chapter, the Township Committee may remove the Fire Company from service as the Fire Department of the Township of Union.
- B. The Township Committee may choose one of its members to act as a liaison to the Fire Company, in conjunction with other appropriate Township officials such as the Public Safety Coordinator and the Personnel Administrator.

### **2-14.5 Exempt Fireman Certificates; Verified List of Nonexempt Members to be Filed with Municipal Clerk.**

- A. Exempt Fireman Certificates may be issued to members of the Fire Company in accordance with NJSA 40A:14-56, its amendments thereto and supplements thereof.
- B. In accordance with NJSA 40A:14-57, the official in charge of the Fire Company shall annually file with the Municipal Clerk a verified list of all of the members not having exempt Fireman Certificates which list shall contain their names and residences and information relevant subsequently to their qualifications for such certificates.

### **2-14.6 Records.**

- A. A copy of all certifications of every firefighter in the Fire Company shall be submitted to the Township Personnel Administrator. Any record of any firefighter's failure to obtain his/her proper certifications shall be immediately reported to the Personnel Administrator and Public Safety Coordinator by the Chief.
- B. Any and all records of equipment obtained and the testing thereof shall be submitted to the Township of Union. Any record of failing equipment shall be immediately reported, in writing, to Public Safety Coordinator and Township Committee Liaison.

### **2-14.7 Duties of the Chief.**

- A. In addition to all of the requirements of this chapter, the Chief shall be in full command and complete control at all fires and during the period of all alarms and shall be held accountable for his/her action to the Township Committee. The Chief shall make written reports to the Township Committee every month. The Chief shall be present at any Township Committee meetings by written request of the Mayor or Fire Company liaison.

- B. The Chief shall be responsible for obtaining the proper certification of every member of the Fire Company. Failure to do so may result in removal of the Chief.
- C. The Chief shall be responsible for all fire-related equipment. The Chief shall ensure that all equipment is properly licensed and operational. The Chief shall be responsible for obtaining the proper certification for every piece of equipment.
- D. By January 15 of each year, the Chief shall prepare and submit to the Township Committee an annual budget for the Fire Company, listing all anticipated expenditures and estimating prices thereof. The budget shall include an accounting of the previous year. No expenditure to be borne by the Township shall be submitted without prior approval by the Township Committee and Chief Financial Officer in accordance with law. Any expenditure request shall be submitted in writing.

#### **2-14.8 Discipline**

The Township Committee may reprimand, suspend, or remove from office or membership the Fire Chief, or any officer or firefighter of the Fire Company. The Township and the Fire Company shall be required to follow the following disciplinary procedure.

- A. Any and all charges shall be in writing, and shall set forth the factual basis for the charges, including the proposed penalty.
- B. If the charges are for a written or oral reprimand, the Fire Chief, officer, or firefighter may appeal the reprimand to the Township Committee.
- C. If the charges are for suspension or termination, the Fire Chief, officer or firefighter are entitled to a hearing, if one is requested within 5 days of receiving the charges.
- D. If a hearing is requested, the Township Committee or their designee will be the hearing officer.
- E. The hearing will be held within 30 days of the request, unless agreed to by both parties to be heard later than 30 days.
- E. If no written request for reconsideration is made or hearing requested, respectively, the discipline is final.

#### **2-14.9 Insurance**

- A. The Township may provide worker's compensation insurance coverage for all approved members of the Union Township Fire Department.
- B. The Township may provide insurance for all or certain of the Fire Company's vehicles, apparatus and equipment, covering liability and property damage.
- C. The Pattenburg Volunteer Fire Company shall be responsible to provide all insurance coverage not provided by the Township. If recommended by the Township's Insurance Risk Manager, the Township of Union shall be listed as an additional insured on all Fire Company insurance policies, and as loss payee on any Township owned vehicles and equipment, and the Fire Company shall supply the Township with insurance certificates evidencing same. The Fire

Company shall also supply the Township with copies of all insurance policies covering the Fire Company, its equipment and its members.

**2-14.10 Prohibited Uses of Fire Department Vehicles**

- A. The use of Fire Company vehicles, apparatus, or equipment for private use, profit, benefit or advantage is prohibited, except in case of fire or other emergency which shall be immediately reported to Hunterdon County 911. Violation of this section shall be cause for discipline as provided in this chapter.
- B. Only certified active, reserve or junior firefighters shall be permitted to ride on or in fire apparatus, engines or vehicles. All other members of the Fire Company, such as EMTs, paramedics and first responders should respond in the designated first response vehicle, unless otherwise ordered by the Fire Chief or officer in charge. Violation of this section shall be cause for discipline as provided in this chapter.

**2-14.11 Notifications to Township**

The Union Township Public Safety Coordinator, or if unavailable, the Township Committee Liaison to the Fire Company shall be notified by the Chief, or in his absence his designee, of any emergencies, incidents, alarms, mutual aid, stand-bys or any non-emergency responses, violations, apparatus leaving Union Township or any other circumstances affecting the operation of the Fire Company or the public health, safety or welfare.

**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 after final passage, adoption and publication according to law.

**Attest:**

\_\_\_\_\_  
**Ella M. Ruta, Municipal Clerk**

\_\_\_\_\_  
**Frank T. Mazza, Mayor**

First Reading: 8/03/16  
 Publication: 8/11/16  
 Public Hearing/Adoption: 9/07/16  
 Published by 9/15/16

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

Motion carried.

**13. NEW BUSINESS**

**CONSENT AGENDA:** All matters listed under the Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent Agenda and will be considered separate.

- a. **RESOLUTION #2016-82:** Refund Overpayment of 2015 Taxes – Block 24 Lot 2 C2802

**RESOLUTION #2016-82  
TOWNSHIP OF UNION, HUNTERDON COUNTY  
RESOLUTION TO REFUND OVER PAYMENT OF 2015 TAXES**

**WHEREAS**, the Tax Collector received an over-payment for the 2015 property taxes on Block 24 Lot 2 Qualifier C2802 (136 Overlook Dr.); and

**WHEREAS**, a refund of the overpayment, \$298.61, has been requested on behalf of the Estate of Frances Difazio,

NOW, THEREFORE, BE IT RESOLVED, on the 3<sup>rd</sup> day of August, 2016 by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. The Tax Collector should refund the amount of \$298.61
2. The CFO shall refund \$298.61 to the Estate of Frances Difazio c/o Salvatore Difazio, Esq., 84 Park Avenue, Suite G 206, Flemington, NJ 08822
3. This Resolution shall take effect immediately upon adoption.

- b. **RESOLUTION #2016-83:** Refund Overpayment of 2015 Taxes – Block 5 Lot 16

**RESOLUTION #2016-83  
TOWNSHIP OF UNION, HUNTERDON COUNTY  
RESOLUTION TO REFUND OVER PAYMENT OF 2016 TAXES**

**WHEREAS**, the Tax Collector received an over-payment for the 2016 property taxes on Block 5 Lot 16 (2 David Reynolds Road); and

**WHEREAS**, the property has been coded “Exempt” by the Township Tax Assessor which resulted in an overbilling and subsequent overpayment of 2016 taxes for this property in the amount of \$2,220.73; and

**WHEREAS**, Wells Fargo, the mortgage holder for the property, has requested a refund of \$2,220.73,

NOW, THEREFORE, BE IT RESOLVED, on the 3<sup>rd</sup> day of August, 2016 by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

4. The Tax Collector should refund the amount of \$2,220.73
5. The CFO shall refund \$2,220.73 to Wells Fargo Real Estate Tax Servicing, Attn: Financial Support, 1 Home Campus, MAC F2302-035, Des Moines, IA 50328
6. This Resolution shall take effect immediately upon adoption.

- c. **RESOLUTION #2016-84:** Refund Overpayment of 2015 Taxes – Block 24 Lot 2.01 C0113

**RESOLUTION #2016-84**

**TOWNSHIP OF UNION, HUNTERDON COUNTY  
RESOLUTION TO REFUND OVER PAYMENT OF 2015 TAXES**

**WHEREAS**, the Tax Collector received an over-payment for the 2015 property taxes on Block 24.02 Lot 2.01 Qualifier C0113 (13 Sam Bonnell Drive); and

**WHEREAS**, a refund of the overpayment, \$126.06, has been requested on behalf of Scott Schuster,

**NOW, THEREFORE, BE IT RESOLVED**, on the 3<sup>rd</sup> day of August, 2016 by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

- 7. The Tax Collector should refund the amount of \$126.06
- 8. The CFO shall refund \$126.06 to the Scott Schuster, 13 Westchester Ter, Annandale, NJ 08801
- 9. This Resolution shall take effect immediately upon adoption.

d. **RESOLUTION #2016-85**: Escrow Refund – Castellano, 73 Race Street

**RESOLUTION 2016 - 85**

**ESCROW REFUND - Francis Castellano  
73 Race Street, Pittstown, NJ 08867**

**WHEREAS**, Francis Castellano did post an demolition bond for work on 73 Race Street, Block 25 Lot 2.01, and

**WHEREAS**, the demolition is complete and the DCA Construction Office has issued a Certificate stating this fact,

**NOW, THEREFORE, BE IT RESOLVED** that the demolition bond in the amount of \$500.00 be released to Francis Castellano, now residing at 1078 Montcalm Avenue, North port, FL 34291.

e. **RESOLUTION #2016-86**: Escrow Refund – Foster Wheeler, 53 Frontage Rd.

**RESOLUTION 2016 - 86**

**ESCROW REFUND - Foster Wheeler  
Attention Bill Lee  
53 Frontage Road, Hampton, NJ 08827  
Block 13 Lot 6**

**WHEREAS**, Foster Wheeler did post an escrow account for application 2015-9, and

**WHEREAS**, the application is complete and all invoices have been paid, and

**WHEREAS**, there is a balance in the escrow account in the amount of \$1,281.00,

**NOW, THEREFORE, BE IT RESOLVED** that the balance in the escrow account in the amount of \$1,281.00 be released to Foster Wheeler.

- f. **RESOLUTION #2016-87:** Escrow Refund – Enpirion Inc.

**RESOLUTION 2016 - 87**

**ESCROW REFUND - Enpirion Inc.  
101 Innovation Drive, San Jose, CA 95134**

**WHEREAS**, Enpirion Inc. did post an escrow fee for a board application, and

**WHEREAS**, the application is complete and all invoices have been paid,

**WHEREAS**, there is a remaining balance of \$427.50 in the escrow account

**NOW, THEREFORE, BE IT RESOLVED** that the balance of this escrow account, in the amount of \$427.50 be refunded to Enpirion Inc.

- g. **RESOLUTION #2016-88:** Escrow Refund – Van Scott, 11 McCrea Rd.

**RESOLUTION 2016 - 88**

**ESCROW REFUND - David Van Scott  
11 McCrea Road , Asbury, NJ 08802  
Application 2014-5**

**WHEREAS**, David Van Scott did post an escrow fee for board application 2014-5, and

**WHEREAS**, the application is complete and all invoices have been paid,

**WHEREAS**, there is a remaining balance of \$594.87 in the escrow account,

**NOW, THEREFORE, BE IT RESOLVED** that the balance of this escrow account, in the amount of \$594.87 be refunded to David Van Scott.

- h. **Motion to Approve:** Pilgrimage walking through the Township on August 12, 2016
- i. **Motion to Approve:** Application for ABC Social Affair Permit – Hunterdon Hills Playhouse
- j. **Motion to Approve:** Payment of Bills

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

Motion Carried

End of Consent Agenda

- k. **Motion to Approve:** Mortgage Subordination Agreement – Block 13 Lot 14

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

Motion Carried

1. **Motion to Approve:** Mayor’s Pledge to Support Equal School Funding & Property Taxes

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

Motion Carried

m. **Discussion** – Fire Departments Annual Fund Drive Letter

Committee Members discussed at length. The consensus was that residents should decide which fire company/companies they wanted to make a donation.

Dale Harding, speaking on behalf of Pattenburg Volunteer Fire Company (PVFC), said that PVFC will cover the entire Township, with the exception of Level I calls.

Bill Zarbock, Brass Castle Resident and Homeowners’ Assn. President, suggested an educational letter be sent to residents apprising them of the Fire Company covering their area.

Matthew Papenfuhs, Quakertown Fire Company Chief, Union Township Resident, understood there was an agreement among the Fire Chiefs of Companies serving the Township that there would not be fundraising across border lines.

Karen Wisnoski, Pattenburg Resident, voiced a concern about the Township Committees’ involvement. Ms. Wisnoski emphasized it should be between the Fire Companies and whom they choose to solicit.

Marc Strauss, Public Safety Coordinator, attempted to address the issue of fundraising letter concerns. Atty. Jost indicated Mr. Strauss will attempt to coordinate an agreement among the Fire Companies.

**14. REPORTS**

a. **Attorney’s Report**

- Derelict House in Pattenburg - Atty. Jost referenced a request from a resident at the last Committee meeting regarding preparation of a property maintenance code for the Township. He distributed a draft ordinance to the Committee for their review and comment. Mr. Jost will send a letter to the property owner, as requested by a resident at the last Committee Meeting.

Mr. Hirt mentioned the debris at the site.

Jean Quinn stated the house is in a deplorable condition, an embarrassment to the neighborhood and that there are solutions.

Glenn Roth, Office of Emergency Management, commented on the property. Spoke about the Hazard Mitigation Plan that would include everything in the ground; well, septic system, oil tank/tanks Asbestos siding would also be a concern. Mr. Roth advised caution when considering an ordinance.

Atty. Jost will be visiting the site tomorrow with Mayor Mazza.

- Derelict House on Perryville Road – Matter in Court.
- Pilot Travel Centers, LLC: – Spoke with Pilot Atty. James Lott regarding NJDOT Permit and the Left Turn Signal on Frontage Road. DOT is requiring that Hunterdon County should be the applicant since it is on Charlestown Road/County Road 635; therefore, they have jurisdiction. Pilot is requesting the release of a Supplemental Bond they have with Union Township.

#### b. Committee Reports

Mr. Hirt reported the following:

- Salt Shed/Bins – Work completed satisfactorily. Mayor Mazza mentioned the possibility of contractor providing estimate for basement improvements in Municipal Building. Mr. Hirt will follow up and obtain the necessary three quotes. He will obtain quotes for gutter improvements. Clerk mentioned that new windows have been installed all in Municipal Building Offices.

Mr. Bischoff reported the following:

- Quote “When men yield up the privilege of thinking, the last shadow of liberty quits the horizon.” T. Paine

#### c. Mayor’s Report

- Road Repairs – Chipping and Tarring will not be done this year. Mr. Hermann said it would not be possible to accomplish required preparation. The focus will be on repairing and maintaining various inlets. A list will be made of the 1,000 plus inlets in the Township and bids will be solicited. Mayor Mazza mentioned the time involved by the DR&F with mowing at Finn Park. He would like the Committee to consider other options for mowing Township’s Parks.

### 15. PUBLIC COMMENTS

- Matthew Papenfuhs asked about detours onto Perryville Road because of Bridge Construction/Repair on Route 513/Pittstown Road. Mayor Mazza said drivers are not following detour signs.

### 16. 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 8:11 p.m. Mr. Severino seconded the motion. Motion carried by unanimous favorable roll call vote.

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Transcribed by: Grace Kocher, Deputy Clerk

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Frank Mazza, Mayor