

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, Grace Brennan, CFO and Ella M. Ruta, Municipal Clerk

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of September 21, 2016.

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

Motion Carried

6. VISITORS

- a. Mary Jo Haggerty - Request for putting barricades in the Brass Castle neighborhood on Halloween– Ms. Haggerty, 19 Wyckoff Drive, Pittstown, presented her annual request to the Committee.

The Following motion was introduced for approval:

To grant Ms. Haggerty’s request upon receipt of Certificate of Insurance naming Township of Union as additional insured. Approval includes appropriate signage, parking restricted to designated areas and blocking off Roads in the Brass Castle Subdivision.

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

Motion Carried, subject to Insurance Certificate

7. REPORTS RECEIVED - ACKNOWLEDGED

- a. Road Dept.- Week Ending; 9/16/16; 9/23/16 Mr. Hirt said the DR&F prepared basement of Municipal Bldg. for painting.
- b. Engineer’s Report - Not Present

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Severino mentioned the following correspondence:

- NJ Supreme Court Issues Important Ruling on Constitutionality of Digital Billboard Ben.
- Letter from NJDOT Notice re: Paving of Route 78 Ramps.

9. PUBLIC COMMENTS - none

10. PUBLIC HEARING – 2nd Reading

TOWNSHIP OF UNION

COUNTY OF HUNTERDON

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 3rd day of August, 2016. The Ordinance was then published according to law. A public hearing was held on the said Ordinance on 7th day of September 2016, at the conclusion of which the Township Committee adopted an amendment to the Ordinance, substantially altering the substance of the Ordinance. The Ordinance, as amended, was then ordered to be published in accordance with N.J.S.A. 40:49-2c., at least two days prior to the time fixed when the amended Ordinance will be further considered for final passage. Notice is hereby given that the said Ordinance, as amended, will be considered for final passage at a public hearing to be held on the 5th day of October, 2016, at 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.

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 the 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 on file with the Fire Company and available on request by the authorized Township official.
- 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 on file with the Fire Company and available on request by the authorized Township official.
- 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 on file with the Fire Company and available on request by the authorized Township official.

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 on file with the Fire Company and available on request by the authorized Township official. Any record of any firefighter's failure to obtain his/her proper certifications shall be on file with the Fire Company and available on request by the authorized Township official.
- 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 (Reserved)

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, Clerk

Frank T. Mazza, Mayor

First Reading: August 3, 2016
 Publication: August 11, 2016
 Public Hearing: September 7, 2016
 Publication with changes at the Public Hearing: September 29, 2016
 Adoption: October 5, 2016
 Published: October 13, 2016

Atty. Jost explained the changes and the procedure followed amending Ordinance at the Public Hearing/Second Reading.

To open Public Hearing

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

Motion Carried by unanimous voice call vote

To Close Public Hearing

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

Motion Carried by unanimous voice call vote

To adopt on Final Reading

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent

Mr. Severino		X	X			
Mr. Hirt			X			
Ms. McBride	X		X			
Mr. Bischoff						X
Mr. Mazza			X			

Motion Carried

11. **OLD BUSINESS** – none

12. **NEW ORDINANCE** – 1st Reading - none

13. **NEW BUSINESS**

- a. **Discussion** – Best Practices Worksheet CY 2016 – CFO Brennan gave an overview of the Worksheet. She had compiled and submitted required information to the State. The Township has a 90% score; therefore, State Aid will not be reduced. Mr. Severino noted Question #3 regarding a Written Policy requiring the Tax Assessor to notify the CFO and the Committee of all tax appeals upon filing, but no later than June 1st of each year. The Clerk said a Resolution should be adopted stating the Tax Assessor will provide that information in an acceptable format.
- b. **Discussion** – Volunteer Appreciation Dinner 2016 – The Committee agreed to hold the event. It has been scheduled for Thursday, December 1, 2016. CFO Brennan will contact Grand Colonial, Hunterdon Hills Playhouse and Mt. View Chalet for availability and prices.

The following motion was introduced for adoption:

To hold Annual Volunteer Appreciation Dinner on December 1, 2016

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

Motion Carried by unanimous voice call vote

c. The following Resolution was introduced for adoption:

HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION #2016-97

Authorizing Payment in the Amount of \$5,000.00 to Katrina Campbell, Esq., in the Attorney Trust Account of Lavery, Selvaggi, Abromitis & Cohen, P.C. for Joint Vicinage 13 Defense Costs in the Matter of the Mt. Laurel Declaratory Judgment Actions Filed in Hunterdon, Somerset and Warren Counties, State of New Jersey Pursuant to In Re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015) Superior Court of Hunterdon, Somerset and Warren Counties (the “Litigation”)

WHEREAS, the Township of Union entered into a Municipal Shared Services Defense Agreement (“MSSDA”) with other members of the Vicinage 13 municipal group (the “Vicinage 13 Municipal Group Members”) for the purpose as set forth therein, which included retaining common experts in the Declaratory Judgment action that

was filed in accordance with In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015) (“Decision”); and

WHEREAS, the Vicinage 13 Municipal Group Members have been asked to execute a First Amendment to the MSSDA (the “First Amendment”), a copy of which is annexed hereto, and to contribute an additional \$5,000.00 for the purposes of, among other things, (i) preparing for and representing the interests of the Vicinage 13 Municipal Group Members in fair share litigation, and (ii) collectively retaining expert witnesses as more fully set forth in the First Amendment; and

WHEREAS, the Township Committee of the Township of Union believes that it is in the best interests of the residents of Union Township to execute the First Amendment and to contribute an additional \$5,000.00 in order to most efficiently defend the interests of the Vicinage 13 Municipal Group Members, including Union Township.

NOW, THEREFORE, BE IT RESOLVED, by the Township of Union, in the County of Hunterdon, State of New Jersey as follows:

1. The Mayor and Township Clerk are hereby authorized to execute the attached First Amendment to the MSSDA, and to forward the executed copy of the First Amendment to John Belardo, Esq., together with a certified copy of this Resolution.
2. The payment of an additional \$5,000.00 for the purposes set forth in the First Amendment is hereby authorized. The \$5,000.00 payment shall be forwarded to Katrine Campbell, Esq. for deposit in the Attorney Trust Account of Lavery, Selvaggi, Abromitis and Cohen, P.C.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

I, Grace Brennan, Chief Financial Officer of the Township of Union, hereby certify that adequate funds are available for the above referenced purchase for an additional amount of \$ 5,000.00.

Grace Brennan, Chief Financial Officer

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

Motion Carried

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 #2016-98:** Authorizing Execution of an Agreement with the Morris County CO-OP to Renew Membership

RESOLUTION #2016-98
Township of Union, Hunterdon County

AUTHORIZING EXECUTION OF AN AGREEMENT WITH THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL TO RENEW MEMBERSHIP THEREIN FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2021

WHEREAS, the Morris County Cooperative Pricing Council (“MCCPC”) was created in 1974 to conduct a voluntary cooperative pricing system with municipalities, boards of educations, and other public bodies located in the County of Morris and adjoining counties; and

WHEREAS, the purpose of the MCCPC is to provide substantial savings on various goods and services to its members through the cooperative public bidding process; and

WHEREAS, Township of Union in Hunterdon County desires to enter into an Agreement with the MCCPC, which is administered by Randolph Township as Lead Agency, to **renew** its membership in the MCCPC for the period of October 1, 2016 through September 30, 2021.

BE IT RESOLVED, by the Township of Union, County of Hunterdon, State of New Jersey as follows:

- 1. Governing Body of the Township of Union hereby authorize the execution of an Agreement with the Morris County Cooperative Pricing Council by the Township of Randolph as Lead Agency dated October 1, 2016, pursuant to N.J.S.A. 40A:11-11(5). Said Agreement is for **renewal** of membership in the MCCPC for a five (5) year period from October 1, 2016, through September 30, 2021.
- 2. The Township of Union Municipal Clerk is hereby directed to submit a copy of this adopted Resolution, along with an executed Agreement, to Randolph Township as Lead Agency of the MCCPC.
Morris County Cooperative Pricing Council
- 3. This Resolution shall take effect immediately upon final passage according to law.
- 4. All appropriate Township of Union officials are authorized and directed to perform all required acts to affect the purpose of this Resolution.

b. **RESOLUTION #2016-99**: Affirming Civil Rights Policy

RESOLUTION #2016-99

A RESOLUTION TO AFFIRM THE TOWNSHIP OF UNION CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Township of Union to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Township of Union has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Township Committee of the Township of Union that:

Section 1: No official, employee, appointee or volunteer of the Township of Union by whatever title known, or any entity that is in any way a part of the municipality shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Township's business or using the facilities or property of the Township.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the municipality to provide services that otherwise could be performed by the Township of Union.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Personnel Administrator of the Township of Union shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Personnel Administrator of the Township of Union shall establish written procedures that require all officials, employees, appointees and volunteers of the Township of Union as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Personnel Administrator of the Township of Union shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Personnel Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the municipality. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Union Township's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the municipality in order for the public to be made aware of this policy and the municipality's commitment to the implementation and enforcement of this policy.

- c. **RESOLUTION #2016-100:** Establishing & Declaring a Juvenile Curfew in Union Twp.

**RESOLUTION #2016-100
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:

Sunday, October 30, 2016
Monday, October 31, 2016; 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.
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.
- d. **RESOLUTION #2016-101:** Contract Award - Cooperative Purchasing Agreement for Rock Salt

RESOLUTION #2016-101

Resolution to award a contract in excess of \$17,500, pursuant to a Cooperative Purchasing Agreement and N.J.A.C. 5:34-7.11 for rock salt.

WHEREAS, The Township of Union is a member of Cooperative Pricing Unit, and;

WHEREAS, the Hunterdon County Board of Chosen Freeholders has awarded a Master Contract to Atlantic Salt Inc. (Rock Salt) to provide rock salt for the County and members of the Cooperative Pricing System for Snow and Ice Control Materials Bid No. 2016-14 for the 2016/2017 season, said contract period being from September 1, 2016 to August 31, 2017; and

WHEREAS, the price (Rock Salt) agreed upon by contract is \$57.25 per ton; and

WHEREAS, pursuant to N.J.A.C. 5:34-7.11, the Township of Union desires to authorize the award of a contract which exceeds the bid threshold (\$15,500 / QPA \$40,000) under the master contract awarded by the County, as a member participant.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey as follows:

- 1. The Township hereby authorizes its purchasing agent to purchase rock salt pursuant to the master contract awarded by the Board of Chosen Freeholders to Atlantic Salt referenced above, and each such purchase order shall bear the identification code of 51-HCCPS, and said identification number shall be shown on all forms pertaining thereto.
- 2. This resolution shall become effective immediately.

- e. **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			
Ms. McBride		X	X			
Mr. Bischoff						X
Mr. Mazza			X			

Motion Carried

End of Consent Agenda

Mayor Mazza asked if Marc Strauss, Public Safety Coordinator had a report. He reported the following:

- Will coordinate a meeting with all Volunteer Emergency Service Representatives and Ms. McBride to discuss proposed Legislation regarding Reimbursement to Volunteer Organizations that serve State Facilities.
- Spoke with Mark Mason, Pattenburg Rescue Squad Captain, regarding closing of Bridge at Exit 11.

14. REPORTS

a. Attorney's Report

- Property Maintenance Ordinance – Met with Mr. Hirt regarding revisions to the Ordinance. Committee asked to review revised Ordinance prior to the next meeting.
- Solar Ordinance Amendment - Ms. McBride updated the Committee regarding the Planning Board's action taken at their meeting held on September 22, 2016. She said action was taken to allow solar panels on the front of homes. Ms. McBride said Atty. Jost should contact Board Atty. Maziarz regarding the matter.
- Commercial/Gated Residential Properties with locks – Mr. Jost will prepare a Draft Ordinance for the next meeting.
- Driveway Ordinance – Mrs. Brennan asked about overlay fees. Mentioned the Ordinance should be clarified. Mr. Jost will speak with Engineer Clerico.

b. Committee Reports

Mr. Hirt reported the following:

- Mentioned the need for generators in the building. Will obtain three quotes. Clerk said the State Election Board is requiring an Emergency Preparedness Plan.

Mr. Severino reported the following:

- Furniture dumped on Bank of America Property on Bank Street – Contacted real estate firm and was told the issue will be addressed.
- Spoke with Property Manager of Union Hill regarding Gift Cards collected by Rotary Club for fire victims. Manager will distribute the Cards.
- Spoke with representative regarding paperless forms. Mr. Severino will advise the representative to contact Mrs. Brennan.
- Inquired about Clean Communities Monies. Ms. McBride indicated the funds can be rolled over from year-to-year. Briefly discussed use of those monies.

Ms. McBride reported the following:

- Road Department has placed barricades by the Building with a generator at Hoffman Park.
- Has item for Executive Session.

c. Mayor's Report

- Two dead trees removed on Perryville Road.
- Mr. Hermann made improvements to the entrance of Henderson Road.
- Repair made to washed out area on Cooks Cross Road.
- Repairs made by the Tunnel on Baptist Church Road.

15. PUBLIC COMMENTS - none

16. EXECUTIVE SESSION –

The following Resolution was introduced for adoption:

**RESOLUTION #2016-102
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. X 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 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 October 5, 2016 at 8:00 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			
Ms. McBride		X	X			
Mr. Bischoff						X
Mr. Mazza			X			

Motion Carried

The Committee returned to regular meeting session at 8:13 p.m.

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

Motion Carried

17. 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 8:14 p.m. Ms. McBride seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Grace Kocher, Deputy Clerk

Frank Mazza, Mayor