

UNION TOWNSHIP – TOWNSHIP COMMITTEE
REGULAR MEETING

FEBRUARY 1, 2006

MINUTES

Mayor Rossi opened the meeting at 7:00 p.m.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; faxed to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

Flag Salute

Roll Call - Present: Patricia Dziubek, Frank Mazza, Rob Haynes, Matt Mulhall and Bruce Rossi. J. Peter Jost, Esq., Township Attorney; Bill Burr, representing R. C. Bogart, P.E., Township Engineer and K. Judith Fabian, Township Clerk, were also present.

APPROVAL OF MINUTES – Regular Meeting, January 18, 2006; Mrs. Fabian noted a correction on Page 7, Resolution #2006-31, year should be 2005. Motion was made by Mr. Mazza, seconded by Mrs. Dziubek, to adopt the Minutes, as amended. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Executive Session, January 18, 2006; - Motion was made by Mr. Haynes, seconded by Mr. Mazza, to approve the Executive Session Minutes. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall, and Mr. Rossi. Abstain: Mr. Mazza. Motion carried.

REPORTS RECEIVED –	1. Court Administrator	11/05
	2. Finance Officer; Claims Register	02/01/06
	3. Zoning Officer	Year 2005
	4. Tax Collector	01/06

TAKEN OUT OF AGENDA ORDER

NEW BUSINESS – 1. NJSP Trooper I, Michael Panella; community relations liaison, Perryville; - Trooper Panella encouraged anyone to call him when issues arise; he asked for any concerns the Committee may have? Mr. Rossi mentioned the on-going dangerous situation at Louise’s Truck Stop with trucks parking along State Hwy. 173/Frontage Rd.; no parking signs are posted; trucks are left running while the drivers are sleeping adding to noise and air pollution. Trooper Panella will look into this and report back to the Committee. He provided information on the number of accidents, stops and investigations during 2005; the NJSP are standing by at Union Township Elementary School am/pm.

Mr. Rossi suggested - should a Committee member have anything to go to the NJSP, that the matter come before the Committee first, depending on the issue; also, there is a matter that requires an Executive Session concerning potential litigation. Trooper Panella will be in attendance.

The following resolution was introduced for adoption:

**RESOLUTION
EXECUTIVE SESSION**

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting; and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: Potential Litigation.

Motion was made by Mr. Mazza, seconded by Mr. Haynes, to adopt the above resolution. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Motion was made by Mrs. Dziubek, seconded by Mr. Mazza, to return to the regular meeting. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Debbie Hirt present this evening to present a collage to the Township of 2005 Community Day. Mr. Rossi thanked Mrs. Hirt, and others, for their efforts in putting Community Day together; it was a very successful event enjoyed by many Township residents.

Lillian Plata, Esq., Wilentz Goldman & Spitzer P.A., bond counsel, present; - Mr. Rossi explained the Township's bonding history and that Ms. Plata is present this evening to provide information on bond refunding resulting in a significant cost savings to the Township.

Ms. Plata provided details on the timing of the bond ordinance and figures; new bonds would be issued; old bonds paid off; the Township will not be refunding the entire amount but what is built in.

The following resolution was introduced for adoption:

RESOLUTION #2006-32

RESOLUTION OF THE TOWNSHIP OF UNION, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. § 40A:2-51 AND N.J.S.A. § 40A:2-55 IN CONNECTION WITH THE ISSUANCE OF NOT TO EXCEED \$6,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2006

WHEREAS, the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey (the "Township") desires to make application to the Local Finance Board, Division of Local Government Services of the New Jersey Department of Community Affairs (the "Local Finance Board") for its approval of a refunding bond ordinance authorizing the refunding of all or a portion of the outstanding callable General Obligation Bonds of the Township dated December 1, 2001, through the issuance of not to exceed \$6,000,000 aggregate principal amount of General Obligation Refunding Bonds, Series 2006 (the "Refunding"); and

WHEREAS, the Township believes that:

- (a) it is in the public interest to accomplish such Refunding;
 - (b) said Refunding is for the health, wealth, convenience or betterment of the inhabitants of the Township;
 - (c) the amounts to be expended for said Refunding are not unreasonable or exorbitant;
- and
- (d) the refunding is an efficient and feasible means of providing services for the needs of the inhabitants of the Township and will not create an undue financial burden to be placed upon the Township.

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

Section 1. The application (the "Application") to the Local Finance Board is hereby approved, and the Township's Bond Counsel, Wilentz, Goldman & Spitzer, P.A. ("Bond Counsel"), along with other officials and representatives of the Township are hereby authorized and directed nunc pro tunc to prepare and submit such Application to Local Finance Board and to represent the Township in such matters pertaining thereto.

Section 2. The Township Clerk is hereby directed to prepare and file certified copies of this resolution and the refunding bond ordinance after introduction with the Local Finance Board as part of such Application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such Application and, after public hearing held thereon, to record its approval as provided by the applicable New Jersey Statute and to endorse its consent upon a certified copy of the refunding bond ordinance as finally adopted.

Section 4. The preparation of the Application by Bond Counsel of the Township in consultation with the Chief Financial Officer of the Township is hereby ratified and confirmed, and its submission to the Local Finance Board is hereby authorized.

Section 5. This resolution shall take effect immediately,

Motion was made by Mr. Mulhall, seconded by Mr. Mazza, to adopt the above resolution. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Mr. Rossi read the following ordinance, by title, and introduced same for 1st reading:

ORDINANCE #2006-___

REFUNDING BOND ORDINANCE OF THE TOWNSHIP OF UNION, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY AUTHORIZING THE ISSUANCE BY THE TOWNSHIP OF NOT TO EXCEED \$6,000,000 AGGREGATE PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS FOR THE PURPOSE OF REFUNDING CERTAIN 2001 GENERAL OBLIGATION BONDS HERETOFORE ISSUED BY THE TOWNSHIP, AND APPROPRIATING THE PROCEEDS OF SUCH REFUNDING BONDS TO SUCH PURPOSE

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 *et seq.*, as amended and supplemented (the “Local Bond Law”), the Township of Union, in the County of Hunterdon, State of New Jersey (the “Township”) issued \$6,500,000 General Obligation Bonds, Series 2001, dated December 1, 2001, \$5,610,000 of which, mature on or after November 15, 2007 and are subject to redemption (the “Callable Bonds”); and

WHEREAS, the Township Committee has determined that refunding bonds can be issued to refund, in whole or in part, such Callable Bonds which, under current market conditions, can generate a net present value debt service savings to the Township equal to or greater than 3%, which savings is the minimum amount required to obtain approval for such refunding from the Local Finance Board, Division of Local Government Services, Department of Community Affairs (the “Local Finance Board”); and

WHEREAS, the Township has determined to provide for the refunding of the Callable Bonds through the issuance by the Township of its general obligation refunding bonds in an aggregate principal amount not to exceed \$6,000,000 as provided in this refunding bond ordinance;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, IN THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. In order to finance the purposes described in Section 2 hereof, negotiable refunding bonds of the Township hereby designated as General Obligation Refunding Bonds are hereby authorized to be issued in the aggregate principal amounts not to exceed \$6,000,000 (the “Refunding Bonds”). The proceeds of the Refunding Bonds are hereby appropriated to the purposes described in Section 2 hereof.

Section 2. (a) The purpose for which the Refunding Bonds are to be issued are (i) the advance refunding of the Callable Bonds, including the payment of interest accrued thereon to the date fixed for redemption, and (ii) paying the cost of the issuance relating to the Refunding Bonds, including printing, advertising, accounting, insurance, financial and legal services, and rating agency fees.

(b) The Callable Bonds mature in the principal amounts in each of the years and bear interest at the rates per annum as follows:

<u>Year</u> <u>(November 15)</u>	<u>Principal</u> <u>Maturity</u>	<u>Interest</u> <u>Rate</u>	<u>Year</u> <u>(November 15)</u>	<u>Principal</u> <u>Maturity</u>	<u>Interest</u> <u>Rate</u>
2007	\$195,000	4.50%	2017	\$295,000	4.80%
2008	205,000	4.50	2018	305,000	4.90
2009	210,000	4.50	2019	320,000	5.00
2010	220,000	4.50	2020	335,000	5.00
2011	230,000	4.50	2021	335,000	5.00
2012	235,000	4.50	2022	335,000	5.00
2013	245,000	4.50	2023	335,000	5.00
2014	255,000	4.50	2024	335,000	5.00
2015	270,000	4.60	2025	335,000	5.00
2016	280,000	4.70	2026	335,000	5.00

The Callable Bonds maturing on or after November 15, 2007 are subject to redemption prior to maturity at the option of the Township in whole or in part on any date on or after May 15, 2007 upon notice as described below at the redemption price of one hundred percent of the principal amount thereof, plus accrued interest to the date fixed for redemption.

If the Township determines to redeem the Callable Bonds prior to maturity, such bonds shall be redeemed by the Township in any order of maturity and within a maturity by lot, or by such other method which the Registrar/Paying Agent, if the Township, may deem fair and appropriate.

As indicated in the Callable Bond Certificate, not less than thirty (30) days prior to the redemption date, the Township shall cause the Registrar/Paying Agent, if not the Township, via first class mail, postage prepaid, to each registered owner of the Callable Bonds to the address of such registered owner as it appears in the registration books maintained by the Registrar/Paying Agent, if not the Township, notice of the call for redemption which shall include, (i) the maturities and numbers (if less than all within a maturity) of the Callable Bonds to be redeemed, (ii) the date fixed for redemption, (iii) that on the date fixed for redemption, such Callable Bonds shall be payable at the office of the Registrar/Paying Agent, if not the Township and (iv) a statement to the effect that after the redemption date, interest on the Callable Bonds to be redeemed shall cease to accrue. So long as The Depository Trust Company, New York, New York (or any successor thereto) acts as Securities Depository for the Callable Bonds, notices of redemption shall be sent to such depository and shall not be sent to the beneficial owners of the Callable Bonds. Any failure of such depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any Notice of Redemption shall not affect the validity of the redemption proceedings.

(c) The aggregate cost of issuing the Refunding Bonds, as provided by N.J.S.A. § 40A:2-51(b) (which amount includes all items described in Section 2(a)(ii) hereof) shall not exceed \$150,000. Such amount is included in the maximum authorized aggregate principal amount set forth in Section 1 hereof.

(d) The Callable Bonds shall be called for redemption prior to maturity thereof as provided in the Callable Bond certificates. A portion of the proceeds from the sale of the Refunding Bonds shall be deposited in trust to provide for the payment and retirement of the Callable Bonds. Any moneys in trust may be invested as provided in N.J.S.A. § 40A:2-60, and any moneys in excess of the amounts required for such purpose may be used for any lawful purpose of the Township.

Section 3. Any further provisions as to terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the Refunding Bonds, and matters in connection therewith, shall be determined by resolution of the Township adopted prior to the issuance of the Refunding Bonds.

Section 4. The Township Committee hereby delegates to the Chief Financial Officer of the Township the power to sell the Refunding Bonds at a private sale, to determine the terms of the Refunding Bonds and to perform such other actions and make such other determinations, subject to the limitations to be set forth in a subsequent resolution of the Township.

Section 5. The Township Committee hereby authorizes and delegates to the Chief Financial Officer, in consultation with Wilentz, Goldman & Spitzer, P.A., Bond Counsel to the Township ("Bond Counsel") and Capital Financial Advisors, Inc., Financial Advisor to the Township (the "Financial Advisor"), the authority to negotiate, approve the terms of and to execute on behalf of the Township a Bond Purchase Agreement for the purchase and sale of the Refunding Bonds for the purchase and sale of the Refunding Bonds.

Section 6. All other matters relating to the Refunding Bonds shall be performed or determined by subsequent resolution of the Township, or the performance or determination thereof shall be delegated by resolution of the Township to a financial officer of the Township.

Section 7. A certified copy of this refunding bond ordinance, as introduced and adopted upon first reading, shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption hereof, together with the supplemental debt statement signed by the Chief Financial Officer of the Township required by N.J.S.A. § 40A:2-55.

Section 8. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the Refunding Bonds authorized by this refunding bond ordinance. The Refunding Bonds shall be direct, unlimited obligations of the Township, and, unless paid from other sources, the Township shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Township for the payment of the Refunding Bonds and the interest thereon without limitation as to rate or amount.

Section 9. After passage upon first reading of this refunding bond ordinance, the Township Clerk is hereby authorized and directed to publish the full text of this refunding bond ordinance, together with the "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. § 40A:2-19, at least seven (7) days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten (10) days after introduction and first reading). The Township Clerk is further directed to comply with all provisions of N.J.S.A. § 40A:2-17(b) regarding postings, publications, and the provision of copies of this refunding bond ordinance. The Clerk is hereby authorized and directed to set the date of the public hearing.

Section 10. After final adoption of this refunding bond ordinance by the Township Committee, the Township Clerk is hereby directed to publish the full text of this refunding bond ordinance, as finally adopted, together with the "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. § 40A:2-19.

Section 11. The Township Committee hereby covenants on behalf of the Township to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the Refunding Bonds authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended and supplemented, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. The purpose of the issuance of the Refunding Bonds is to effect a net present value debt service savings to the Township equal to or greater than three percent (3%).

Section 13. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided in the Local Bond Law, but not prior to the time that the consent of the Local Finance Board, Division of Local Government Services in the New Jersey Department of Community Affairs has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, as provided by N.J.S.A. § 40A:2-55.

Motion was made by Mr. Haynes, seconded by Mr. Mazza, to adopt the above ordinance on 1st reading. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Public Hearing will be held on March 15, 2006.

CORRESPONDENCE – Mrs. Dziubek was in favor of having a cut off date for material to be submitted to the Township Committee; she wanted to make a motion to adopt a date; briefly discussed. Motion was made by Mrs. Dziubek, seconded by Mr. Mazza, to have a cut off period of 10 days prior to every meeting for preparation of documents and resolutions. Vote – Ayes: Mrs. Dziubek and Mr. Mazza. Naye: Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion defeated.

Mrs. Dziubek questioned the cost of the Planner’s services to inspect and prepare an opinion the plantings around Hoffman house? Services were authorized at a not to exceed amount of \$500.00.

Mrs. Dziubek referred to the new Green Acres rules / possibilities for Milligan Farm and how the Township Committee will come to a decision on those possibilities.

Mr. Mazza mentioned the letter from Tracy Siebold, Esq., Country Arch, litigation.

Mr. Mulhall mentioned M/M Mathews’ letter expressing an interest in continuing to farm the Douglass and Milligan property. Mr. Jost will look into the legalities.

Mr. Haynes mentioned the letter from the DEP on Green Acres funding; Mr. Mulhall provided additional information.

OLD BUSINESS – Ord. #2006-1; Opening/Accepting Roads at the Sanctuary; 2nd Reading; Public Hearing; - Mr. Rossi read the ordinance, by title, as follows and introduced same for 2nd reading:

ORDINANCE #2006-1

AN ORDINANCE OPENING AND ACCEPTING ASHER SMITH ROAD AND STIRLING PLACE AS TOWNSHIP STREETS OR ROADS, AND ESTABLISHING THE BOUNDARIES THEREOF IN THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Motion was made by Mr. Mazza, seconded by Mr. Haynes, to open the Public Hearing. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

There being no comments/questions, motion was made by Mrs. Dziubek, seconded by Mr. Haynes, to adopt Ordinance #2006-1 on 2nd reading. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

NEW BUSINESS (Cont’d.) – 2. 2006 Professional Services Contract; Clarke Caton Hintz; no fee schedule submitted; tabled.

3. After a brief discussion, Mr. Rossi read the following ordinance, by title, and introduced same for 1st reading:

ORDINANCE #2006-__

AN ORDINANCE AMENDING THE LAND USE CODE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY (Land Use Amendment No. ____)

WHEREAS, the Union Township Planning Board has recommended that an amendment to the Union Township Land Use Code be adopted containing changes to Section 30-11.5d.1.6, as set forth below, and good cause appearing;

NOW, THEREFORE, 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 of the Township of Union, is hereby amended as follows:

I. Section 30-11.5d.1.6 Delete present Section 30-11.5 d.1.6 and replace with the following:

6. Extensions and amendments of approvals

a. Application for extension of prior approval

<i>First Check</i>	<i>Second Check</i>
<i>Non-Refundable</i>	<i>Applicant's Escrow Fund</i>
<i>Application Charge</i>	
\$500.00 per meeting	\$1,500.00 per meeting

b. Application for amendment to prior approval

<i>First Check</i>	<i>Second Check</i>
<i>Non-Refundable</i>	<i>Applicant's Escrow Fund</i>
<i>Application Charge</i>	
\$500.00 per meeting	\$1,500.00 per meeting

II. If the provision of any Article, Section, Subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of such Article, Section, Subsection, paragraph, subdivision or clause, and to this end, the provisions of this Ordinance are hereby declared to be severable.

III. This Ordinance shall take effect upon formal adoption by the governing body of the Township of Union, and publication in the official newspaper of the Township, and the subsequent filing of a certified copy thereof with the Hunterdon County Planning Board in accordance with C. 40:55D-16 of the New Jersey Municipal Land Use Law.

IV. The Short title of this Ordinance shall be known as and may be cited as "Amendment No. _____ to the Union Township Land Use Code."

Motion was made by Mr. Mulhall, seconded by Mr. Haynes, to adopt the above ordinance on 1st reading. Vote – Ayes: Mr. Haynes, Mr. Mulhall and Mr. Rossi. Abstain: Mrs. Dziubek and Mr. Mazza. Motion carried.

Public Hearing will be held on March 1, 2006.

4. The following resolution was introduced for adoption:

**RESOLUTION #2006-33
REFUND OF TAX SALE PREMIUM**

WHEREAS, there exists a premium of taxes for the following tax sale certificate which was redeemed on January 31, 2006:

TAX SALE CERTIFI- CATE #	BLOCK	LOT	QUALI- FIER	NAME	AMOUNT
05-09	30	10		Nief, Mabelle O.*	\$16,500.00

* To be refunded to Wachovia, Cust. For Phoenix

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the refund of tax sale premium be returned to the above stated name, and that the Chief Finance Officer of the Township of Union is hereby authorized to issue a check in the stated amount.

Motion was made by Mr. Haynes, seconded by Mr. Mazza, to adopt the above resolution. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

5. John Scott, Planning Board Chairman, stressed the need to adopt the land use ordinance, revising Sections 30-4 and 30-5.5. After a brief discussion, Mr. Jost read the ordinance, by title; Mr. Rossi introduced same for 1st reading:

(SEE ATTACHED ORDINANCE #2006-___; AMENDMENT #___; DISTRICT REGULATIONS AND USE REGULATIONS)

Motion was made by Mr. Mulhall, seconded by Mr. Haynes, to adopt the above ordinance on 1st reading and to public same in Summary. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Public Hearing will be held on March 1, 2006.

ATTORNEY'S REPORT – Mr. Jost mentioned the Township closed on Milligan Farm on Monday; he had items for Executive Session.

ENGINEER'S REPORT – None.

MAYOR'S REPORT – Mr. Rossi mentioned the following: - bird flu seminar/website procedures: Mrs. Dziubek volunteered to oversee the website; Municipal Court update: Mr. Mazza is setting up a meeting with Franklin Twp.; prices for the window/steel door to be obtained next week. Mr. Rossi asked Mr. Mazza was an analysis done on how to make the Court more profitable? No.

Mr. Rossi asked for a volunteer for Park related responsibilities. There were none. Options discussed.

Frank Castellano, present, as potential candidate for certain duties at the Parks i.e. lawn mowing and opening/closing the park; options further discussed.

COMMITTEE REPORT – Mrs. Dziubek mentioned aspects of records management.

Recording system discussed. Mr. Mulhall made a motion to eliminate the use of the tape system and only use the CD recorder, seconded by Mr. Mazza. Mrs. Fabian provided details on the 2 recording systems. Vote – Ayes: None. Naye: Mrs. Dziubek, Mr. Mulhall, Mr. Haynes, Mr. Mazza and Mr. Rossi. Motion defeated. Mr. Mulhall had matters for an Executive Session.

Mr. Haynes had matters for an Executive Session; he attended an informative Hunterdon County Municipal Officers Assoc. meeting; one of the topics was shared services; the March meeting will be on school budgets.

Mr. Mazza mentioned the following: historical society building; roof repair \$1,100.00 quote from Riegel Roofing; motion was made by Mr. Mazza, seconded by Mr. Haynes, to authorize Riegel Roofing to do roof repairs on the historical society building, subject to receiving the necessary paperwork, in an amount not to exceed \$1,100. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried; - he looked at Apt. 26B/Hoffman; repairs need to be addressed; options discussed; - Finn Rd. Park grant still pending.

COMMENTS FROM THE PUBLIC – Patrick Dziubek/John Scott/Bill Bischoff.

CLERKS REPORT – 1. \$2,000.00 Patriot Media Check – Mr. Jost will send a letter to Union Township Elementary School.

2. North Hunterdon PTSA / Woodlands Wildlife Refuge / Assn. for Hunterdon Developmental Center – Raffle Licenses; Mrs. Fabian stated the applications are complete and fees paid. Motion was made by Mrs. Dziubek, seconded by Mr. Haynes, to approve each of the Raffle License Applications. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

PAYMENT OF THE BILLS – Mr. Haynes moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof; seconded by Mr. Mazza. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

The following resolution was introduced for adoption:

**RESOLUTION
EXECUTIVE SESSION #2**

WHEREAS, N.J.S.A. 10:4-12 allows for a public body to go into closed session during a public meeting;
and

WHEREAS, the Union Township Committee has deemed it necessary to go into closed session to discuss certain matters which are exempted from the public;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Union will go into closed session for the following reason(s) as outlined in N.J.S.A. 10:4-12: potential litigation/Litigation/Contract Negotiations

Motion was made by Mr. Haynes, seconded by Mr. Mazza, to adopt the above resolution. Vote – Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Motion was made by Mr. Mulhall, seconded by Mr. Haynes, to return to the regular meeting. Vote – Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Motion was made by Mr. Mulhall, seconded by Mr. Haynes, that Mr. Mulhall contact Howard Cohen, Esq. and request Mr. Cohen prepare the proper responses with respect to the request made by Flaster Greenberg regarding the Grandin Orchards project and submissions to COAH. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Motion was made by Mr. Mulhall, seconded by Mr. Haynes, to request the Construction Official issue a CO for the Albanese property, Perryville Estates, condition upon the representation by Developer, Mr. Caccavelli, and the attorney for Mr. Albanese, that the sum of \$12,000.00 be withheld from that closing and remitted to the Township escrow account(s) providing that all requirements of law and agencies have been satisfied. Vote – Ayes: Mr. Haynes, Mr. Mulhall and Mr. Rossi. Abstain: Mrs. Dziubek and Mr. Mazza. Motion carried.

ADJOURNMENT – There being no further business to come before the Township Committee at this time, a motion was made by Mrs. Dziubek, seconded by Mr. Haynes, to adjourn. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Haynes, Mr. Mulhall and Mr. Rossi. Motion carried.

Meeting adjourned at approximately 11:50 p.m.

Respectfully submitted,

K. Judith Fabian, RMC
Township Clerk