

**UNION TOWNSHIP – TOWNSHIP COMMITTEE  
REGULAR MEETING**

**AUGUST 16, 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.

Roll Call – Present: Patricia Dziubek, Frank T. Mazza, Matt Mulhall and Bruce A. Rossi. J. Peter Jost, Esq., Township Attorney; Robert C. Bogart, P.E., Township Engineer; and K. Judith Fabian, Township Clerk, were also present. Absent: Rob Haynes.

**APPROVAL OF MINUTES** – 1. Regular Meeting of 7/5/06; motion was made by Mrs. Dziubek, seconded by Mr. Mazza, to adopt the Minutes. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried.

2. Executive Session of 7/5/06; motion was made by Mr. Mazza, seconded by Mrs. Dziubek, to adopt the Minutes. Vote – Ayes: Mrs. Dziubek, Mr. Mulhall and Mr. Rossi. Abstain: Mr. Mazza. Motion carried.

**REPORTS RECEIVED** –

1. Tax Collector	7/06
2. Municipal Court	6 & 7/06
3. Finance Officer	Claims Register 8/2, 3 & 16/06
4. Building Dept.	Permit Fee Log Report; Summary; 6 & 7/06

Installation of Speed Tables; Rupell Road; Town of Clinton/Union Township – Present: Brett Matheis, Chief of Police, Town of Clinton; Scott Wintermute, Chief of Clinton Fire Company; Melinda Stortz, President, Clinton First Aid; and Dan van Fossen, Chief, Pattenburg Volunteer Fire Company.

Mr. Rossi mentioned those individuals mentioned above are present to provide input on the installation of speed tables on Rupell Road. He did contact the Captain of the Pattenburg Rescue Squad; however, that organization rarely responds to calls in that area but she would not be in favor of anything that would reduce response time.

Chief Matheis stated the following: there is a significant speeding problem with a high volume of traffic on Rupell Road; Summons are issued regularly; residents on Rupell and Union Roads are very concerned; the speed tables are not radical structures; he was of the opinion the 3 proposed structures are safe for all types of emergency vehicles; he requested the Township Committee’s assistance by being in favor of the installation of the speed tables; the platforms are a wake up call to drivers; the Town of Clinton would design and install the speed platforms at no cost to Union Township; emergency response time should not be effected.

Scott Wintermute: not in favor of the speed platforms for safety reasons and delayed response time.

Melinda Stortz: not in favor of the speed platforms because of delayed response time.

Michele Harrison, 13 Rupell Rd., stressed the excessive speed and volume of vehicles is causing a serious safety issue; she was in favor of the speed platforms and mentioned it was her opinion many of the residents on Rupell Rd. are in favor of the structures.

Chief Matheis: the speed platforms were approved by the Town Engineer and Town Attorney; he would provide documentation.

Mr. Mazza mentioned he was in favor of the platforms. He would not be in favor of installing them on other roads within the Township.

Mr. Mulhall was of the opinion it is a health welfare and safety issue.

Mr. Rossi agreed with Mr. Mulhall and was in support of the Town of Clinton on this issue.

The following resolution was introduced for adoption:

**RESOLUTION #2006-85  
SUPPORT OF SPEED PLATFORMS ON RUPELL ROAD**

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union to support the Town of Clinton in the installation of up to three (3) speed tables along Rupell Road at stations 26 +00, 30 + 40 and 35 +50;

BE IT FURTHER RESOLVED that support is contingent upon the Town of Clinton Engineer's certification that said speed tables are within the NJDOT and ITE design standards for spacing of speed tables; the individual speed tables specific design and installation parameters are to follow the applicable standards and individual installations are to be striped and posted with the appropriate warning signs consistent with referenced standards.

Prior to the vote being taken – Mr. Bogart provided information; Rupell Road would be a good location for the speed tables provided they were designed and installed to applicable standards.

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

**CORRESPONDENCE** – Mrs. Dziubek mentioned: - NJDOT letter regarding the Jutland RR Crossing improvements; the Township is required to “line” certain areas of Perryville Rd.; she was not in favor of waiting for the Railroad to complete their improvements. Mr. Bogart will look into detail information from NJDOT.

Mr. Mulhall mentioned: - letter from Dr. Sico regarding 25-mile per hour beacons on Perryville Rd. (site of the new school). Mr. Bogart mentioned a school zone would have to be legally established. Mr. Jost was authorized to look into what is necessary to establish a school speed limit. Mr. Rossi will contact Dr. Sico.

Mr. Rossi mentioned: - letter from Freeholder Marcia Karrow regarding deed restrictions should be forwarded to the Planning Board; - DEP letter/Garden State Preservation Trust approved the Township's application for a Green Acres matching grant of \$300,000 contingent upon the passage of a legislative appropriation.

Mr. Mazza confirmed Mr. Garrison received the correspondence regarding the Clean Communities Grant.

**OLD BUSINESS** – 1. Pattenburg Realty LLC; 2006 Trailer Park License Renewal Application. Steven Heyman, President and David Mills, Zoning Officer, present.

Mr. Jost recused himself and left the meeting room.

Mr. Heyman was of the opinion he has complied with all Township requirements. Mr. Mills agreed the Trailer Park is in compliance including requirements of the Planning Board; the TV cable line remains a jurisdictional matter; however, Mr. Heyman has agreed to follow through on that issue.

Motion was made by Mr. Mazza, seconded by Mrs. Dziubek, to approve the 2006 Pattenburg Trailer Park License Renewal Application. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried.

Mr. Jost rejoined the meeting.

**NEW BUSINESS** – 1. Debbie Hirt; Community Day 2007; Mrs. Hirt volunteered to Chair this event with the help of Mr. Rossi; the Playhouse has offered their facility; she would like to put together a Committee; currently there is \$15,000 in the Township's budget; the date would be September 16, 2007.

Mr. Rossi was of the opinion funds were not budgeted in 2006; however, donations and sponsorships would be solicited. Mrs. Hirt would need access to funds and also to her prior years' records stored in the attic.

Mrs. Dziubek thanked Mrs. Hirt for her efforts and all she does for the Township.

Motion was made by Mrs. Dziubek, seconded by Mr. Mazza, to appoint Mrs. Hirt as Chair of the 2007 Community Day Committee; finances to be determined at a later date. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried.

Mrs. Hirt; memorial to Vincent DiFazio, died on September 11, 2001; - a tree has been purchased; Mrs. Hirt will arrange for a plaque. Motion was made by Mr. Mulhall, seconded by Mrs. Dziubek, to approve the planting of a tree (with a plaque) at Finn Road Park. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried.

2. The following resolution was introduced for adoption:

**RESOLUTION #2006-86**  
**EMERGENCY APPROPRIATIONS; LEGAL EXPENSES: \$20,000.00**  
**AND PLANNING BOARD/BOARD OF ADJUSTMENT OE: \$42,584.00**

WHEREAS, an emergency has arisen with respect to Legal Expenses and Planning Board/Board of Adjustment OE; and

WHEREAS, adequate provision was not made in the 2006 budget for the aforesaid purposes; and

WHEREAS, N.J.S.A. 40A:4-46 provides for the creation of emergency appropriation(s) for the purpose(s) above mentioned; and

WHEREAS, the total amount of emergency appropriations created including the appropriations to be created by this resolution is \$62,584.00; and

WHEREAS, 3% of the total operations in the budget for the year 2005 is \$62,584.00;

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations in the budget for 2005.

NOW, THEREFORE, BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-48:

1. Emergency appropriations be and the same are hereby made for Legal Expenses, \$20,000.00 and Planning Board/Board of Adjustment OE in the amount of \$42,584.00;
2. That said emergency appropriations shall be provided in full in the 2007 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c(1);
3. That two (2) certified copies of this resolution be filed with the Director of Local Government Services.

Mr. Rossi explained the background of this resolution with input from Mr. Mulhall. Motion was made by Mr. Mulhall, seconded by Mrs. Dziubek, to adopt the above resolution. Vote: Ayes – Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried.

3. After a brief discussion, the following resolution was introduced for adoption:

**RESOLUTION #2006-87**  
**2006 PROFESSIONAL SERVICES/Traffic Consultant-Engineer; TRC Raymond Keys**

WHEREAS, there exists a need for traffic engineering-consultant services in connection with the review of application(s) before the Union Township Planning Board/Board of Adjustment in the Township of Union, County of Hunterdon, State of New Jersey, during calendar year 2006, pursuant to 40A:9-140; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

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

1. The engineering firm of TRC Raymond Keyes Associates is hereby retained to provide the engineering services necessary in connection with the review of Planning Board matters (applications) at the hourly rate in accordance with the SCHEDULE OF ENGINEERING FEES AND CHARGES;
2. As traffic consultant/engineer, TRC Raymond Keyes Associates agrees that no services are to be performed unless specific approval is granted by an appropriate Township official either verbally or in writing;
3. All required documentation is attached and is part of this agreement;
4. TRC Raymond Keyes Associates will carry, at its expense during the appointment period, professional liability insurance;
5. A Notice of this action shall be printed once in the official newspaper.

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

4. Ord. #2006-\_\_\_; Vacate Portion of Main St., Jutland; 1<sup>st</sup> reading. Mr. Rossi read the ordinance, as follows, by title and introduced same for 1<sup>st</sup> reading:

**ORDINANCE #2006-\_\_\_**

**AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF MAIN STREET (JUTLAND) LOCATED IN THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY**

**WHEREAS**, the Union Township Committee in the County of Hunterdon is of the opinion that the following public road is no longer needed as a publicly maintained highway and that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights of the Township of Union in and to the following described road or portion of road;

**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 as follows:

1. The public rights and interests in a certain portion of Main Street (Jutland), as more particularly set forth in the attached "DESCRIPTION OF A PORTION OF MAIN STREET (JUTLAND) LOCATED ON BLOCK 21.02, LOT 33 and BLOCK 28, LOT 9, UNION TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY TO BE VACATED BY THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY" prepared by Robert C. Bogart, P.E., P.L.S., of Maser Consulting, P.A. dated 7/12/06, are herein vacated, abandoned and released;
2. All rights of public utilities and CATV companies are hereby expressly reserved and accepted from this vacation;
3. This ordinance shall become effective twenty (20) days after final passage and publication according to law.

**DESCRIPTION OF A PORTION OF MAIN STREET (JUTLAND)  
 LOCATED ON BLOCK 21.02, LOT 33 & BLOCK 28, LOT 9  
 UNION TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY  
 TO BE VACATED BY THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY**

Beginning at a point on the existing centerline of Main Street (Jutland), said point being on the common boundary line between Block 21.02, Lot 33 and Block 28, Lot 9, said point being located southwesterly a tie distance of approximately ten feet (10') from the common corner of the aforementioned Block 21.02, Lot 33 and Block 28, Lot 9, said tie point corner marks the termination of Course 4 and the beginning of Course 5 in a deed to Paul W. Grefe and Linda Grefe, husband and wife, recorded in the Hunterdon County Clerk's Office in Deed Book 1017, Page 776, and running thence,

- 1) leaving the aforementioned common boundary between Block 21.02, Lot 33 & Block 28, Lot 9 along the existing centerline of Main Street (Jutland) (33' right-of-way width) northwesterly approximately five hundred (500') feet to a point in the existing centerline of Hunterdon County Route 625.

The intention of the above description is to vacate a portion of the public road (33' right-of-way width) known locally as Main Street (Jutland) leading from Hunterdon County Route 625 to the intersection of the new, northerly right-of-way of Main Street (Jutland). The new alignment and right-of-way of Main Street (Jutland) is as shown on a plat titled "Final Map of Perryville Estates Lot 32, Block 21.02, Union Township, Hunterdon County, New Jersey" recorded in the Hunterdon County Clerk's Office on filed map #1350.

The above vacated portion of Main Street (Jutland) is located between Block 21.02, Lot 33 (formerly Block 21, Lot 33) and Block 28, Lot 9 as shown on Sheet 8 of the Union Township Tax Map.

Motion was made by Mr. Mulhall, seconded by Mrs. Dziubek, to adopt the above ordinance on 1<sup>st</sup> reading. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried. The Public Hearing will be held on September 6, 2006.

5. The following resolution amending Resolution #2006-87 was introduced for adoption:

**RESOLUTION #2006-87 AMENDED**  
**2006 PROFESSIONAL SERVICES/Traffic Consultant-Engineer; TRC Raymond Keys**

**WHEREAS**, there exists a need for traffic engineering-consultant services in connection with the review of the Pilot Travel Centers, LLC application before the Union Township Planning Board/Board of Adjustment in the Township of Union, County of Hunterdon, State of New Jersey, during calendar year 2006, pursuant to 40A:9-140; and

**WHEREAS**, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

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

1. The engineering firm of TRC Raymond Keyes Associates is hereby retained to provide the engineering services necessary in connection with the review of the Pilot Travel Centers, LLC

2. application at the hourly rate in accordance with the Schedule of Engineering Fees and Charges;
3. As traffic consultant/engineer, TRC Raymond Keyes Associates agrees that no services are to be performed unless specific approval is granted by an appropriate Township official either verbally or in writing;
4. All required documentation is attached and is part of this agreement;
5. TRC Raymond Keyes Associates will carry, at its expense during the appointment period, professional liability insurance;
6. A Notice of this action shall be printed once in the official newspaper.

Motion was made by Mr. Mulhall, seconded by Mrs. Dziubek, to adopt the above resolution amending Resolution #2006-87. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried.

6. The following resolution was introduced for adoption:

**RESOLUTION #2006-88  
REFUND OF ERRONEOUS TAX PAYMENT**

WHEREAS, an erroneous tax payment was made by Wells Fargo on Block 8, Lot 5.06, on April 1, 2006 in the amount of \$4,166.95:

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County, that the refund of the erroneous tax payment be returned to Wells Fargo and that the Chief Financial Officer of the Township of Union is hereby authorized to issue a check in the stated amount.

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

7. The following resolution was introduced for adoption:

**RESOLUTION #2006-89  
ACCEPT & AWARDING CONTRACT / 2006 MAINTENANCE & ROAD REPAIR PROGRAM**

WHEREAS, the Township Committee of the Township of Union accepted bids for the 2006 Maintenance and Road Repair Program on August 8, 2006; and

WHEREAS, a letter has been received from the Township Engineer recommending that the contract for the 2006 M&R Program be awarded to Asphalt Paving Systems, Inc.;

THEREFORE, BE IT FURTHER RESOLVED, that the Township of Union Committee hereby accepts the bid for the 2006 Maintenance and Road Repair program from Asphalt Paving Systems, Inc. whose bid amounted to \$83,267.69.

**AWARD OF CONTRACT**

BE IT RESOLVED, that the contract for the 2006 Maintenance and Road Repair Program, be and is hereby awarded to Asphalt Paving Systems, Inc. in the amount of \$83,267.69 subject to the following:

1. That the presiding officer of the Union Township Committee is hereby directed to sign for and on its behalf the contract in the prescribed Form for said construction;
2. That the Clerk of Union Township be and is hereby directed to seal said Contract with the corporate seal of Union Township and to attest to same.
3. That on receipt of a bond for not less than the amount of said contract executed in the prescribed form and heretofore approved by the Township Attorney, the presiding officer and finance committee thereof be and are hereby in their discretion, empowered to approve said bond.
4. This contract is awarded pending review of the Township Attorney.

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

8. Special Permit for Social Affair; The Arc of Hunterdon Foundation; 10/16/06; Hunterdon Hills Playhouse – motion was made by Mrs. Dziubek, seconded by Mr. Mulhall, to authorize the Clerk to sign said application. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried.

**ENGINEER’S REPORT** – Mr. Bogart had matters for an Executive Session.

**ATTORNEY’S REPORT** – Mr. Jost mentioned: - Toll Bros. Attorney for the Lookout Pointe development is looking to proceed; certain items remain outstanding to obtain COs. Mr. Mulhall provided an update on the water supply.

The following resolution was introduced for adoption:

**RESOLUTION 2006-90a.**  
**Confirming and Supporting Application to the County of Hunterdon**  
**Requesting County Partnering Re: Milligan Farm, Block 22, Lot 20**  
**in the Township of Union**

**WHEREAS**, Union Township acquired property commonly known as Milligan Farm, Block 22, Lot 20, in the Township of Union on January 30, 2006; and

**WHEREAS**, Milligan Farm consists of approximately 102 acres, from which portions are to be subdivided and utilized for COAH housing and for the existing farmhouse to be sold, leaving a net area to be preserved as permanent open space of approximately 84 acres; and

**WHEREAS**, said property was previously approved for construction of a 292 unit development by K. Hovnanian at Union Township II, LLC, including 36 COAH units; and

**WHEREAS**, the benefits to be derived from preservation of the Milligan Farm include:

- a. Elimination of the 292 unit development by Hovnanian
- b. Blocking of “sprawl” development from I-78 Exit 15 interchange
- c. Safeguarding of the aquifer under Milligan Farm and Category 1 Sidney Brook
- d. Adjacent to other preserved lands in Franklin Township
- e. Preservation of the scenic vista of the property including frontage of property and historic vista of farmhouse and Bethlehem Presbyterian Church
- f. Proposed development of the property for high intensity residential, or for a third high school for North Hunterdon Regional District would have been a “disaster” in terms of traffic and infrastructure impact on an already congested area. Instead, that threat is being permanently removed.
- g. Riding and hiking trails to be established on Milligan Farm which will link up to a network of trails being established throughout Union, Alexandria and Franklin Townships, with the assistance of the Pittstown Riding Club.
- h. One of the most visible properties in the north part of the county, due to the heavy volume of traffic on CR-513, both commuter traffic from I-78 and intracounty traffic.

**WHEREAS**, Milligan Farm, together with Barrett Farm (corner of CR-513 and Cooks Cross Road), which Hunterdon County also aided in preserving, together with other preserved lands in Franklin Township, will help the protect the vital viewshed along CR-513, and to help keep the area from becoming overdeveloped; and

**WHEREAS**, the Township of Union has applied to the Hunterdon County Board of Chosen Freeholders to partner in the acquisition of the Milligan Farm by providing financial assistance in the amount of 20% of the cost of open space to be permanently preserved; and

**WHEREAS**, the Union Township Committee unanimously supports the acquisition and preservation of the Milligan Farm and this application to the Hunterdon County Board of Chosen Freeholders for cost sharing; and

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, in the County of Hunterdon and the State of New Jersey that this governing body unanimously supports, ratifies and approves Union Township’s application to the Hunterdon County Board of Chosen

Freeholders for cost sharing with regard to the Milligan Farm, Block 22, Lot 20, in the Township of Union, and all actions taken or to be taken in furtherance thereof; and

**BE IT FURTHER RESOLVED**, that a true copy of this Resolution shall be forwarded by the Municipal Clerk to Denise B. Doolan, Clerk of the Hunterdon County Board of Chosen Freeholders.

Mr. Rossi mentioned at the request of Mrs. Dziubek, he is no longer serving as a liaison between the Township and the County. The recent meeting was attended by Mrs. Dziubek, Mr. Mulhall and Mr. Jost.

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

- a Baptist Church Rd. resident is bringing in hundreds of c.y. of fill; the Township may want to consider addressing the situation.

**MAYOR'S REPORT** – Mr. Rossi mentioned the following: - the water test results for the Township-owned building currently Leased to the Historical Society show signs of radium in the water. Mr. Mulhall mentioned aeration of the water is the remedy; there are no mandates on the part of the Township; he suggested the Historic Society contact the County Dept. of Health. Mr. Jost will look into requirements and advise the tenant according.

**COMMITTEE REPORT** - Mr. Mazza mentioned the following: - a recycling attendant has apparently resigned resulting in a shortage of personnel. Motion was made by Mr. Mulhall to advertise for 2 positions, seconded by Mrs. Dziubek. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried. – Viking Pest Control Maintenance Contract for Apt. 26A; \$174.90; motion was made by Mr. Mulhall, seconded by Mrs. Dziubek, to approve said Contract. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried. – Mr. Mazza requested the Construction Official do an assessment of Apt. 26A, Hoffman Park; he referred to Mr. Leonard's Memo of August 7<sup>th</sup>. Motion was made by Mr. Mulhall, seconded by Mrs. Dziubek, to authorize Mr. Jost to contact the current renter regarding these issues. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried; - Mr. Mazza mentioned he did not know the location of the septic system for Apt. 26A for inspection and pumping. Motion was made by Mr. Mulhall, seconded by Mrs. Dziubek, to authorize Mr. Mazza to spend up to \$1,250 for locating/pumping/inspection of the septic system serving Apt. 26A. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried; - Mr. Mazza received a phone call from Tom Ricker, Baptist Church Rd., regarding a drainage issue; potential litigation matter for Executive Session.

Mrs. Dziubek mentioned the following: - She received a complaint regarding damage to Baptist Church Rd.; - the Mulhockaway Creek tour was informative; the site distance onto County Rd. 625 is a hazard; the access will be moved in the future; - Personnel Manual revisions need to move forward. Agenda item for September 6<sup>th</sup>; - Mrs. Dziubek asked Mr. Bogart about information in the Annual Stormwater Report to DEP (4/05-06). Mr. Bogart responded it contained the original intent.

Mr. Mulhall mentioned the following: - the septic system testing on the Milligan property is finished; everything is fine; - he was part of the presentation made to the Freeholders – additional work needs to be done; the Township is asking for a 20% payment for 85 acres; - notice has been received from COAH they are reviewing the Township's 3<sup>rd</sup> round plans; he will work with the Township Planner's office; - Hovnanian is moving forward with the No Further Action letter; the subdivision should be resolved in September or October so that a grant application can be made to Green Acres.

**COMMENTS FROM THE PUBLIC** – Debra Polenz expressed her interest in renting Apt. 26B at Hoffman Park. Mr. Rossi explained certain repairs need to be made and no decision has been made.

**CLERK'S REPORT** – 1. MSI Quote; Quarterly Computer Services Contract; Agenda September 6<sup>th</sup>.

2. Raffle License #2006-13; NRA Hunterdon Friends of NRA; On-premise Merchandise; 10/13/06 & Raffle License #2006-14; The Arc of Hunterdon Foundation; On-premise 50/50; 10/16/06 & Raffle License #2006-15; Alexandria Township PTA; Off-premise 50/50; 4.27/07; - motion was made by Mrs. Dziubek, seconded by Mr. Mazza to approve said License Applications. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried.

3. CFO's Request to Attend September 2006 Conference; - motion was made by Mrs. Dziubek, seconded by Mr. Mazza, to approve this request. Vote – Ayes: Mrs. Dziubek, Mr. Mazza, Mr. Mulhall and Mr. Rossi. Motion carried.

4. Mr. Rossi read the following ordinance by title, as follows and introduced same for 1<sup>st</sup> reading:

**ORDINANCE #2006-\_\_**

**AN ORDINANCE APPROPRIATING THE SUM OF \$10,000.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUND OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, N. J., FOR THE PURCHASE OF A TELEPHONE AND VOICE MAIL SYSTEM**

WHEREAS, there is currently within the 2006 Capital Fund of the Township of Union, County of Hunterdon, State of New Jersey, an item entitled Capital Improvement Fund; and

WHEREAS, there is in this fund at least \$10,000.00; and

WHEREAS, the Township Committee of the Township of Union has deemed it necessary in order to better service the residents of Union Township;

NOW, THEREFORE, BE IT RESOLVED AND ENACTED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that:

SECTION 1. There is hereby appropriated from the Capital Improvement Fund of the 2006 General Capital Fund the sum of \$10,000.00 as follows:

Purchase of Telephone and Voice Mail Systems	\$10,000.00
Total	\$10,000.00

SECTION 2. All Ordinances or parts of Ordinances which are inconsistent with the terms of the Ordinance be and the same are hereby repealed to the extent of their inconsistency;

SECTION 3. There is no debt incurred by this ordinance.

SECTION 4. This Ordinance shall take effect after proper passage and publication in accordance with law.

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

The Public Hearing will be held on September 6, 2006.

5. Mrs. Fabian referred to her Memo, dated August 16<sup>th</sup>, regarding Meeting/Court Rooms; Occupancy (Fire) Load Limit and meeting(s) held at Union Township Elementary & Middle Schools.

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: Personnel and Potential Litigation.

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

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

Mr. Mazza left the meeting during Executive Session not to return.

The following resolution was introduced for adoption:

**RESOLUTION # 2006-90b  
Re: Perryville Estates Subdivision**

**WHEREAS**, Perryville Estates, L.L.C. previously was declared to be in default and a Stop Work Order was issued for failure to complete certain improvements; and

**WHEREAS**, Perryville Estates had a basis of good faith efforts for work completed, the Township had stayed and rescinded the Stop Work Order and stayed the default; and

**WHEREAS**, Perryville Estates, L.L.C., has since failed and refused to complete requirements of the subdivision; in particular, the completion of the intersection work where Main Street, Jutland, intersects with County Route 625; and

**WHEREAS**, there is also a punch list of items from the Township Engineer's office which Perryville Estates, L.L.C. has failed to complete;

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that the Union Township Construction Official is hereby requested to reinstate the Stop Work Orders and to suspend any outstanding Building Permits on any uncompleted dwellings in the Perryville Estates development which are not completed as of the date of this resolution, and not to issue any Certificates of Occupancy for the two (2) properties in question; and

**BE IT FURTHER RESOLVED** this resolution shall take effect immediately and that the Stop Work Orders will stay in effect until such time as Perryville Estates, L.L.C. complies with its obligations and completes all the improvements in the subdivision and posts the necessary maintenance guarantees.

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

**PAYMENT OF BILLS** – Mr. Rossi moved that all claims against the Township of Union as appearing in the Claims Registers of August 2, 3 and 16, 2006 and this date be paid and that all checks listed hereinafter be issued in payment thereof. Seconded by Mr. Mulhall. Vote – Ayes: Mrs. Dziubek, Mr. Mulhall and Mr. Rossi. Motion carried.

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

Meeting adjourned at approximately 10:45 p.m.

Respectfully submitted,

K. Judith Fabian, RMC  
Township Clerk