

**CALL TO ORDER**

Mayor Mazza opened the meeting at 7:07 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:** Rob Haynes, William Bischoff, Frank Mazza.

**Absent:** Matt Severino, Patricia Dziubek

**Others Present:** J. Peter Jost, Esq., Attorney, John Reymann, Twp. Engineer, Ella M. Ruta, Township Clerk.

**APPROVAL OF MINUTES**

- a. Regular Meeting Minutes of June 4, 2008.

Mr. Bischoff with respect to June 4<sup>th</sup> regular minutes, had corrected spelling of Herder –Terricone Associates. Resolution was missing on page #9. Clerk stated that it was received from Atty. Jost this afternoon. It will be inserted in the minutes. Mr. Bischoff questioned amount of minutes approved for Mayor’s cell phone. Mayor Mazza confirmed that it was approved for up to one thousand minutes. Mr. Haynes questioned one resolution without a number. Clerk explained that the resolution was voted down. Mr. Bischoff made a motion to approve the said minutes as amended. Mr. Haynes seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion carried.

- b. Executive Session Meeting Minutes of June 4, 2008.

Mr. Bischoff suggested that under contract negotiations words “subject to conditions” should be added to the sentence in the first paragraph.

Mr. Bischoff made a motion to approve the said minutes as amended. Mr. Haynes seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion carried

**VISITORS**

- a. Dan Van Fossen – Dealing with Animals in Emergencies

Dan Van Fossen, Pattenburg Fire Chief, come before the Committee to discuss and seek their advice on dealing with pets in emergencies. He said that there is a need to develop a plan for temporary placement of pets/animals involved in emergencies. He added that the members of the Fire Dept. are willing to volunteer their time and resources in helping to find/set up a couple of places. In a short discussion, it was suggested to contact local farmers or kennels that might be able and willing to help with the situation. Mr. Jost, as well as, the Fire Dept. agreed to look into the issue.

- b. Steven Balzano – Environmental Consulting Services

Mr. Balzano thanked the Mayor and the Committee for opportunity to present his credentials and proposal as an Environmental Consultant to the Township. He explained the scope of his services. They would include technical advice and guidance to the Township Committee and boards regarding environmental protection issues, strategic planning in growth management and economic development opportunities. Mr.

Balzano would also assist in review of development applications as requested by the appropriate boards. He further offered information on his experience with Highlands Council, COAH and Growth Management issues.

Mr. Balzano provided hard copies of the proposed services and his resume for Committee's examination. Various questions and concerns were presented to Mr. Balzano. He answered all of them to the satisfaction of the Committee, Professionals and Twp. residents. The Committee expressed their high regard for Mr. Balzano's knowledge and professional experience. After a brief discussion, it was Atty. Jost's recommendation to postpone decision on retaining Mr. Balzano's services until next meeting. He said all members of the Committee should be present.

c. Marja VanOverkerk – Speed Limit Signs on Gravel Hill Rd.

Mrs. VanOverkerk of 34 Gravel Hill Rd. and Hillary Brush Wilson of 50 Gravel Hill Rd. complained about cars speeding on Gravel Hill Rd. They stressed out the fact that in the morning when children are waiting for school busses it is the most dangerous. Mrs. VanOverkerk emphasized the need to slow the traffic down and placement of speed limit signs. She also said that residents would like the speed limit lowered below what is currently allowed.

Engineer Reymann understood that Gravel Hill Rd. qualifies as a suburban residential district and as such, statutory speed limit would be 35 MPH.

With Committee's permission, Atty. Jost will write a letter to the Bureau of Traffic Engineering asking to conduct a speed survey on Gravel Hill Rd.

**Mr. Haynes made a motion to authorize Mr. Jost to write a letter to the NJ Bureau of Traffic Engineering to conduct a speed survey on Gravel Hill Rd. Mr. Bischoff seconded. Vote – Ayes; Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion carried**

## REPORTS RECEIVED

- a. Road Dept.- Week Ending 5/30/08; 6/06/08
- b. Building Dept. – May 2008
- c. Municipal Court – May 2008
- d. Environmental Commission

- Michele McBride reported on work progress at the Hoffman House
- Asked the Twp. Attorney if a copy of the original contract for the Douglas Farm might have information regarding subdivision. Atty. Jost said he would like to meet with Ms. McBride to discuss issues regarding the farm before any further action is taken.
- Mr. Plushanski will call in a request to mark utilities at Hoffman property.
- Mr. Harclerode asked if resolution regarding ban on unmuffled engine braking could be approved tonight and if local ordinance addressing same issue could be considered by the Committee. Atty. Jost stated that a resolution is ready for adoption tonight.
- Mr. Harclerode also asked endorsement by the Township Committee for a Dear Mayor letter and Press Release that will be sent out to all municipalities along Route 78 and Route 31 corridor. Mr. Haynes had objection regarding wording in the Press Release provided by Mr. Harclerode. He does not agree with reference to a "group of residents" which does not clarify who the group of residents is. After a brief discussion, it was agreed that the wording is going to be rephrased to read "road noise subcommittee".
- Mr. Harclerode asked for administrative help to the Environmental Commission. Mr. Bischoff said he will address this matter at a later time.
- Marja VanOverkerk of Gravel Hill Road stated that back in 1980 she was involved in the local noise study and offered a copy of the study results to Mr. Harclerode.

- Michele McBride reported on findings at the Cozze Brothers Junkyard following the Stream Visual Assessment inspection for Sidney Brook Watershed conducted by Princeton Hydro. It revealed that there are about 50 car tires on the property or very close to it. Engineer Reymann stated that he and the Zoning Officer performed inspection on the property today and did not see or find any tires. Ms. McBride said she just received the information this afternoon and would try to find more details.

## CORRESPONDENCE

Mr. Bischoff mentioned the following:

- Asked if comments were submitted following adoption of revised third round affordable housing regulations. Mr. Bischoff asked the Clerk to contact Mr. Hintz regarding this matter.
- Correspondence from DCA inviting municipalities to apply for Green Acres funds. Applications will be accepted until September 30, 2008. Atty. Jost said that the Township should look into it. He will examine it closer.
- A letter from NJDEP regarding Ground Water Renewal Permit Action for Village Square Residential Development. Engineer Reymann said the Twp. was copied for informational purposes only.
- Letters from Alex DeCroce, Assemblyman, asking to pass a resolution on "Common Sense Plan for a More Affordable New Jersey"

### RESOLUTION #2008-113

#### **Resolution in Support of the Joint New Jersey Senate and Assembly Republican Budget Alternative**

**Whereas**, over the past seven years, New Jersey's tax burden has become so oppressive that it is driving tens of thousands of hard working middle class families out of our state each year; and

**Whereas**, over that same time period, axes in New Jersey have increased by over \$12 billion, state spending has increased by \$11 billion and our debt has more than doubled to over \$37 billion; and

**Whereas**, Governor Jon Corzine's proposed \$33.3 billion state budget for Fiscal Year 2009 is balanced by cutting property tax rebates for families making more than \$100,000 and by cutting state aid municipalities desperately need to keep local property taxes in check; and

**Whereas**, the governor's budget does nothing to control the cost and size of the state's bloated bureaucracy; and

**Whereas**, the governor's budget cuts will further shift the tax burden from the state to local property taxpayers and make our state even more unaffordable; and

**Whereas**, the New Jersey Senate and Assembly Republicans have identified more than \$1.3 billion in common sense spending reductions and proposing using a portion of the savings to increase property tax relief and municipal aid; and

**Whereas**, the Republican plan would still spend \$600 million less than the governor's budget proposal even though it restores property tax relief, increases state aid and redresses unfair budget cuts; and

**Therefore be it resolved**, that we voice our objections to Governor Corzine’s FY 2009 State Budget and announce our support for New Jersey Senate and Assembly Republican budget plan, and

A certified copy of this resolution shall be sent to Governor Jon S. Corzine, Assembly Speaker Joseph Roberts, Senate President Richard Codey, Senate Minority Leader Tom Kean, Jr., Assembly Minority Leader Alex DeCrocce and all state legislators representing our legislative district.

Mr. Bischoff made a motion to approve above resolution. Mr. Haynes seconded. Vote – Ayes; Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion carried

- Letters from NJLM regarding Property Tax Exemption for Renewal Energy System. Mr. Bischoff felt it would not benefit Union Twp.

Mr. Haynes mentioned the following:

- A letter from NJDEP Green Acres Program regarding inspections conducted at Twp’s parks. Noted were a few issues that need to be resolved in order to comply with regulations. Atty. Jost will contact the County on these issues.

Mayor Mazza mentioned the following:

- A letter from HC Planning Board on unconditional permits approval for Milligan Farm Project.
- Correspondence from Raritan Valley NJ Transit study regarding another meeting scheduled for July 9, 2008. Mayor Mazza felt that the Township should be represented at the meeting and asked for volunteers to attend.

**PUBLIC COMMENTS** – None

**PUBLIC HEARING** – 2<sup>nd</sup> reading - None

**OLD BUSINESS**

- a. **Motion** – Cozze Bros, LLC; 2008 Junkyard License Renewal Application

Motion to approve the above license renewal was tabled pending inspection by the Zoning Officer and Twp. Engineer.

Due to new information that has been brought to the Committee attention by Ms. McBride tonight it was Atty. Jost’s advice to postpone voting until next meeting.

- b. **Motion** – Municipal Alliance Renewal Application

Mr. Bischoff made a motion to authorize the Mayor to sign above application. Mr. Haynes seconded. Vote – Ayes; Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion carried

**NEW BUSINESS**

- a. The following resolution was introduced for adoption:

**RESOLUTION #2008-114  
UNION TOWNSHIP, HUNTERDON COUNTY**

**2008-2009 PLENARY RETAIL CONSUMPTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union to be effective on July 1, 2008; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to execute, issue and delivery such license to the following licensee:

Name & Trade Name: Myriel Restaurant LLC  
t/a Clinton Station Diner

Location & Mailing Address: 301 County Route 639  
Bloomsbury, New Jersey 08804

License #: 1025-33-007-009

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

Mr. Bischoff made a motion to adopt above resolution. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

b. The following resolution was introduced for adoption:

**RESOLUTION #2008-115**  
**UNION TOWNSHIP, HUNTERDON COUNTY**  
**2008-2009 PLENARY RETAIL CONSUMPTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Consumption License be issued in the Township of Union to be effective on July 1, 2008; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to execute, issue and delivery such license to the following licensee:

Name & Trade Name: Gatanis & Fokas Foods Inc.  
t/a Mountain View Chalet

Location & Mailing Address: 154 State Rte. 173 West  
Asbury, New Jersey 08802

License #: 1025-33-005-004

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

Mr. Haynes made a motion to approve above resolution. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

c. The following resolution was introduced for adoption:

**RESOLUTION #2008-  
UNION TOWNSHIP; HUNTERDON COUNTY  
2007-2008 PLENARY RETAIL CONSUMPTION LICENSE; with Conditions  
PATTENBURG ENTERTAINMENT t/a Pattenburg House**

Due to missing documentation above resolution was tabled until next meeting.

d. The following resolution was introduced for adoption:

**RESOLUTION #2008-116  
UNION TOWNSHIP, HUNTERDON COUNTY  
2008-2009 PLENARY RETAIL DISTRIBUTION LICENSE – RENEWAL**

BE IT RESOLVED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the following Plenary Retail Distribution License be issued in the Township of Union to be effective on July 1, 2008; and

BE IT FURTHER RESOLVED that the Municipal Clerk or his/her duly authorized agent is hereby authorized to execute, issue and delivery such license to the following licensee:

Name & Trade Name: Joseph V. Martin, Jr., Inc.  
t/a Perryville Wine & Spirits

Location & Mailing Address: 72 Rte. 173 West  
Hampton, New Jersey 08827

License #: 1025-44-008-003

BE IT FURTHER RESOLVED, that a copy of this resolution, certified to be a true copy by the Municipal Clerk, be forwarded to the Division of Alcoholic Beverage Control.

Mr. Haynes made a motion to adopt above resolution. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

e. The following resolution was introduced for adoption:

**RESOLUTION 2008-  
Resolution to Approve Referendum to Increase Open Space Tax for the Township of Union**

Atty. Jost explained the purpose for above resolution. He is researching the issue. Mr. Jost said the final draft of a resolution would be ready for adoption at the July 2<sup>nd</sup> meeting.

f. The following resolution was introduced for adoption:

**RESOLUTION #2008-117  
UNION TOWNSHIP; HUNTERDON COUNTY  
TONNAGE GRANT APPLICATION**

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants for calendar year **2007** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Union, Hunterdon County to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates William Garrison to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Mr. Bischoff made a motion to adopt above resolution pending Mr. Severino's review. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

g. The following resolution was introduced for adoption:

**RESOLUTION #2008-118**  
**Resolution to Ban Unmuffled Engine Braking**

Whereas, unmuffled engine braking noise from diesel trucks travels for long distances throughout the day and night, disturbs the repose and well-being of taxpayers, and adversely affects the quality of life of many New Jersey residents,

Whereas, Truck, engine and equipment manufacturer studies have consistently found that improperly muffled vehicles are the root cause of the noise issue with engine braking,

Whereas, Unmuffled engine braking is currently not enforced on interstate highways in New Jersey,

Whereas, Truck traffic (and resulting noise) on interstate highways has greatly increased over the past 10 years and is expected to continue to increase,

Whereas, New Jersey is the most densely populated state in the USA and therefore has many residents living within audible proximity to interstate highways,

Whereas, New trucks are required to be equipped with effective mufflers when first sold, ,

Whereas, many truckers have purposely modified their muffler systems after purchase to make them ineffective,

Whereas, New Jersey law forbids the use of ineffective muffler systems on any motor vehicle,

Whereas, Federal (EPA) regulations specifically prohibit tampering with, removing or rendering inoperative any truck noise control device

Whereas, Federal noise regulations require trucks to meet specific noise emission standards

Whereas, many local communities in New Jersey have enacted ordinances to ban unmuffled engine braking  
Whereas, many states have passed laws banning unmuffled engine braking, but New Jersey has no such state law.

Whereas, Local ordinances and New Jersey-specific laws are NOT enforceable on interstate highways, because only federal regulations are enforceable on interstate highways,

Whereas, many local municipalities are reluctant to adopt laws banning unmuffled engine braking due to concerns about enforceability and potential litigation,

Whereas, The New Jersey Department of Environmental Protection (NJDEP) is responsible for adopting federal noise regulations for interstate highways,

Whereas, NJDEP has not yet adopted any federal noise regulations for interstate highways,

Whereas, the use of engine brakes should not, and can not, be banned outright, because engine braking serves to enhance public safety,

Whereas, Trucks are “self-inspected” and therefore not subject to the ongoing routine independent inspections that automobiles are subject to; trucks may however be inspected when passing through a New Jersey State Police (NJSP)-administered weight station

Whereas, NJSP-staffed truck weight stations are not open 24 hours per day

Therefore, be it resolved that:

- NJDEP shall immediately adopt all federal regulations regarding truck noise and mufflers system modifications,
- The Legislature shall immediately adopt a law similar to that of other states to ban unmuffled engine braking and impose a \$500 fine for violations,
- NJDEP shall work with the New Jersey Motor Vehicle Commission to establish a simple state roadside noise test procedure that requires the engine brakes to be activated during the test, that can be enforced by local and state police with minimal training and equipment, and that will stand up in court,
- The NJSP shall immediately and vigorously enforce all applicable state and federal truck noise and muffler laws (including at all truck weigh/inspections stations),

- Truck weigh and inspection stations on New Jersey interstate highways shall be opened and staffed more frequently and shall adopt specific procedures to check for missing and/or ineffective mufflers on all trucks, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be sent to the Governor, the NJDEP Commissioner, the NJDOT Commissioner, the NJMVC Commissioner, and the NJ State Police Commissioner as well as state senators and assemblypersons.

Mr. Bischoff made a motion to adopt above resolution. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

h. The following resolution was introduced for adoption:

**RESOLUTION 2008-119  
ESCROW REFUND  
PAOLO MATOS, 38 Van Syckels Road  
Block 5 Lot 17**

**WHEREAS**, Paolo Matos, posted a driveway escrow account for a driveway permit at block 5, lot 17, in the amount of \$700.00, and

**WHEREAS**, Mr. Matos has rescinded this application, and

**WHEREAS**, the Township Engineer, in a letter dated 5/12/08 has agreed that the \$700.00 posted by Mr. Matos should be refunded,

**NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$700.00 be refunded to Mr. Paolo Matos.**

Mr. Bischoff made a motion to adopt above resolution. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

i. The following resolution was introduced for adoption:

**RESOLUTION #2008-120  
AWARDING CONTRACT FOR ROADWAY IMPROVEMENTS TO VAN SYCKEL'S  
ROAD**

**WHEREAS**, Six (6) bids were received on May 13, 2008 for Roadway Improvements to Van Syckel's Road in the Township of Union; and

**WHEREAS**, the bids have been reviewed by the Township Engineer and it is the firm's recommendation that the contract be awarded to the low bidder, De Santis Construction Co. of Somerset, New Jersey; and

**WHEREAS**, the Township Attorney has reviewed the bids and has determined that the bid submitted by De Santis Construction Co. is in order with respect to legal compliance; and

**WHEREAS**, the Chief Financial Officer has certified the availability of funds for this expenditure; and

**WHEREAS**, At the May 21, 2008 Committee meeting Mr. Haynes made a motion to award the contract for Roadway Improvements to Van Syckel's Road to De Santis Construction Inc., 491 Elizabeth Avenue, Somerset, New Jersey 08873 in the amount of \$101,020.60.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Township of Union as follows:

1. The contract for Roadway Improvements to Van Syckel's Road is hereby awarded to De Santis Construction Co. of Somerset, New Jersey in the amount of One Hundred One Thousand and Twenty Dollars and Sixty Cents (\$101,020.60).
2. The Mayor and Township Clerk are hereby authorized to execute an agreement with De Santis Construction Co. subject to approval of the Township Attorney.
3. Approval of this agreement is subject to the approval of the New Jersey Department of Transportation.

Mr. Haynes made a motion to adopt above resolution. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

j. Motion – McLoughlin Sports; Approval of application for field use at Finn Road Park

After a brief discussion, it was decided to invite the Chairman of the Recreation Committee to provide information on parks usage approval process for all applications.

Mr. Haynes made a motion to approve McLoughlin application subject to submission of certificate of insurance. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

**NEW ORDINANCE** – 1<sup>st</sup> Reading - None

## REPORTS

a. **Engineer's Report** – Mr. Reymann reported the following/written report submitted:

- Explained “Notice of Violation” from NJDEP regarding Annual Stormwater Permit. Mr. Reymann said he had contacted the State office and the notice is going to be rescinded. In order to stay in compliance next year the Committee agreed that this year's informational leaflet on lawn fertilizing is going to be mailed with tax bills.
- Pre-construction meeting on Van Syckel's Road was held today. Construction will start on July 7<sup>th</sup>. Discussed was recycling of the milled material, which is addressed in the bid specs, Mr. Reymann said; however, the contractor was unable to find a place that would accept it and issue recycling receipt. Engineer Reymann added that there are many places taking recycling, but do not issue receipts for it. Atty. Jost stated that unfortunately it is the contractor's responsibility to solve the recycling issue.
- State Aid application for Perryville Road was submitted today.
- Witte Horse Barn; progress has been made, will continue to monitor the site.

b. **Attorney's Report** – Mr. Jost reported the following:

- Received a great deal of mail opposing A-500. Atty. Jost read a resolution adopted in Middletown Twp. He asked the Committee to approve following resolution:

### **Resolution #2008-121**

**RESOLUTION URGING THAT THE GOVERNOR  
AND STATE LEGISLATORS OPPOSE AFFORDABLE  
HOUSING BILLS A-500 AND S-1783 AS**

**CREATING FURTHER PROPERTY TAX INCREASES**

**WHEREAS**, as has been plainly established over the past few years, New Jersey is in the midst of a major fiscal and tax crisis, and the State government and municipalities throughout the State are struggling to maintain government services while not increasing the already substantial tax burden on its citizens, and

**WHEREAS**, on top of those already substantial economic and tax issues, over the past year there has arisen a major crisis in the housing market, with housing prices either stagnating or falling and many of the builders in the State being thrust into serious financial difficulties due to lack of demand for housing in the existing economic climate, and

**WHEREAS**, with those two economic situations and realities in place, at the same time the New Jersey Council on Affordable Housing has continued to move forward to propose substantial and costly new "Third Round" COAH Rules and Requirements, to be imposed upon most of the municipalities in this State, and

**WHEREAS**, the COAH Rules and standards as initially proposed would create enormous additional burdens and expenses to municipalities, will substantially increase and adversely effect the already sensitive "free market" cost of new "non-affordable" housing units, will increase the tax burden to municipalities and their taxpaying residents, will mandate additional new development densities that will be environmentally detrimental and mandate the change in character and the "urbanization" of many communities and neighborhoods, and will discourage or preclude the rehabilitation of existing housing units in urban areas having proper infrastructure in place by raising the cost of RCA units to unaffordable levels, and

**WHEREAS**, additional affordable housing legislation, known as Assembly Bill A-500 and Senate Bill S-1783, have been approved by Committee and may shortly be before the Legislature for a vote which will create even additional financial impacts upon municipalities and taxpayers, beyond the staggering costs already placed upon them; these Bills proposing to create the following additional burdens.

1. The Bills abolish RCA Agreements, which are a substantial tool for municipalities meeting COAH obligations and for the funding of the reconstruction of affordable housing in existing locations.
2. The Bills propose the imposition of a 2.5% affordable housing fee on non-residential developers in municipalities, to be contributed to a state affordable housing trust fund. The fund is to then appropriate \$20 million to replace RCA funds previously paid by municipalities through RCA Agreements. This proposed \$20 million is far less than funded by RCAs.
3. As non-residential developers will be paying a fee to the state fund, municipalities will not be able to impose development fees on such non-residential developers to address the housing growth share in that municipality generated by such non-residential development.
4. The Bills create the New Jersey Affordable Housing Trust Fund and a new state bureaucracy, known as the State Housing Commission, and requires funds to be deposited from several sources into this fund to be distributed by the State to municipalities at its discretion, and further authorizes COAH to transfer monies now in municipal affordable housing trust funds to this new State Housing Trust Fund. The net effect will be to remove such funds from the control of local municipalities and place them within the discretionary authority of a new state bureaucracy.
5. The Bills relieve the commercial development community of a substantial portion of the financial obligation to fund affordable housing growth and thereby shifts a larger burden to fund those obligations to the existing municipal property taxpayer and municipalities. The League of Municipalities estimates this additional funding shortfall to be approximately \$4,800,000,000 through the year 2018.

**WHEREAS**, in view of the now clearly established crisis in the State's financial and tax base and the continuing abilities of both State and local governments to fund basic services without further raising taxes to economically-debilitating levels and the ongoing crisis in the State's "free market" housing market, to go forward blindly to create new and substantial financial/tax burdens on municipalities, the State's taxpayers, and the housing market seems to be improvident, reckless, and certainly detrimental to the interest of the State and its citizens, and

**WHEREAS**, the elected leaders of this State --- the Governor and legislative leaders --- should recognize these existing crises and that these additional affordable housing financial burdens will further aggravate and exacerbate severe fiscal/tax and housing market problems, and that these new Bills, A-500 and S-1783 will create even additional and overwhelming burdens on municipalities and property taxpayers, and that these Bills should be opposed and defeated.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Union that the Governor and State Legislators, and in particular the State Legislators representing Union Township, are requested to oppose and defeat Assembly Bill A-500 and Senate Bill S-1783 as such legislation will cause substantial additional financial burdens and hardships upon municipalities and property taxpayers in this State and will aggravate the already substantial property tax crisis now existing in this State.

Mr. Bischoff made a motion to adopt above resolution and transmitted to appropriate agencies as soon as possible. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

- Sent copies of Union Twp. Water Tax resolution to other municipalities, hoping that the resolution will be adopted by other municipalities.

At 9:34 pm, Mr. Bischoff made a motion to temporarily adjourn the regular meeting in order to hold a Board of Health Meeting. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

At 9:38 pm, Mr. Bischoff made a motion to return to the regular Union Twp. Committee meeting. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

**c. Mayor's Report**

- Working on Edward Allen's complaint. Atty. Jost said he will be contacting Mr. Allen's Attorney.
- Asked the Committee to approve reimbursement of \$49.50 for using his personal cell phone conducting Township business.

**Mr. Haynes made a motion to approve reimbursement of \$49.50 for conducting Township business using his personal cell phone. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.**

**d. Committee Report**

Mr. Bischoff reported the following:

- Had matters for Executive Session.

Mr. Haynes reported the following:

- Signs for "Horse Crossing" are ordered.
- Will meet with Craig Hermann, Rd. Dept. Foreman, to discuss road oil and chip project for this year.

**e. Clerk's Report**

- Township's General and Land Use Codes have been codified electronically. The Clerk will e-mail electronic copy to Township Officials, Attorney and Engineer. After review, it will be posted on the Township's website.

**PUBLIC COMMENTS - None**

**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. Mr. Bischoff seconded. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion carried.

**EXECUTIVE SESSION**

At approximately 9:49 p.m., the following resolution was introduced for adoption:

**RESOLUTION #2008-122  
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 exempt 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: Municipal Court Contract Negotiations and Personnel.

Mr. Bischoff made a motion to adopt the above resolution. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

At approximately 10:15 PM, Mr. Bischoff made a motion to return to the regular meeting, Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Bischoff, Mr. Mazza. Motion Carried.

**ADJOURNMENT** – There being no further business to come before the Township Committee at this time, Mr. Bischoff made a motion to adjourn. Mr. Haynes seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 10:15 p.m.

Respectfully submitted,

Ella Malecki Ruta, RMC  
Municipal Clerk

