

**CALL TO ORDER**

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

Sunshine Law Announcement – “I would like to announce and have placed in the Minutes that adequate notice of this special meeting of the Union Township Committee has been provided in accordance with the “Open Public Meetings Act” by faxing to the Hunterdon Democrat to be published; and by posting such notice on the bulletin board in the Municipal Building”.

**FLAG SALUTE**

**ROLL CALL - Present:** Rob Haynes Matt Severino, William Bischoff, Patricia Dziubek, Frank Mazza.

Absent: None

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

**APPROVAL OF MINUTES**

- a. Regular and Executive Session Meeting Minutes of July 2, 2008.

Mr. Bischoff, with respect to July 2<sup>nd</sup> regular minutes, corrected a typing error and a sentence on page #10 reading “there is a few important issues” should be “there are a few important issues”.

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

- b. Executive Session Meeting Minutes of July 2, 2008.

Mrs. Dziubek made a motion to approve the said minutes. Mr. Bischoff seconded the motion. Vote – Ayes; Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Abstained: Mr. Haynes. Motion carried.

**VISITORS**

- a. Michele Mc Bride – Environmental Commission

Ms. McBride updated the Committee on the progress of stabilizing and safety at the Hoffman House. She presented the Committee with quotations as well as actual up to date costs for the Hoffman House project. She mentioned a couple of emergency jobs that needed to be done (repair of broken power line, filling additional openings by the mason). In addition, Ms. McBride asked approval for additional funds to replace main feeder junction box, filling cistern with gravel, demolishing screened porch and removing rotting plywood ramp.

Mayor Mazza praised Environmental Commission and Ms. McBride for a great job done so far with the Hoffman property.

Ms. McBride also mentioned involving Historic Curatorship Program under Dept. of Conservation and Recreation with respect to the Hoffman House. She said the program provides help saving historically significant buildings with potential for adaptive reuse through the formation of a public-private partnership.

The following motion approves funds for emergency work:

**Mrs. Dziubek made a motion to authorize and ratify emergency repair work completed in the amount of \$2,750.00 to provide safety and stabilization at the Hoffman house. Mr. Bischoff seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.**

The following motion approves additional work at the Hoffman House.

**Mr. Bischoff made a motion to authorize the UT Road Dept. to seed and mulch new lawn area (not until the end of August), tear down an old screen porch, remove old handicapped ramp and fill in old cistern with crushed stone from the Township's stockpile. This work will be done on as an available basis. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.**

**Mr. Bischoff made a motion to authorize Ms. McBride to contact Bob Taylor Plumbing with regard to obtaining a proposal for winterizing the Hoffman House building. Mrs. Dziubek seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.**

b. Mary Beth Lonergan – Clarke Caton Hintz Planners

Ms. Lonergan came before the Committee to answer questions and concerns regarding RFP's for COAH Milligan Affordable Housing Project.

Ms. Lonergan gave an overview of the procedures to follow in developing such project and progress on accomplishments by the Twp. thus far. She stated that the Twp. is ready to move on with advertising the RFP's and receipt of proposals from developers. She explained in detail overall activity schedule to be followed once the RFP's are approved and advertised. She emphasized the importance of the last two formal actions required by the Committee, which are selection of the developer and preparation/execution of a developer agreement. After that, she said, the responsibilities shift to the selected developer. Funding, contractor selection, permits, etc. are just a few of the responsibilities.

The Committee raised various questions and made comments. Some of them were regarding negotiation process, overseeing developer activity, qualifying incomes for potential tenants, etc.

Mrs. Dziubek asked if the Township has the right to amend the approved site plan with a developer agreement in case the Twp. decides to build more units. Committee agreed that it would just be too complicated at this time to take that route. Mrs. Dziubek reminded everyone that the RCA option was taken away from suburban municipalities and it is critical at this stage of planning to think of other alternatives. She said that additional growth share obligations regarding the number of units will have to be addressed during the development of the project. Suggested by Mr. Bischoff was an option of purchasing additional land if necessary. He stated that the Twp. will not be able to build the required number of units on the Milligan Farm, therefore other solutions have to be explored. He also expressed his reluctance to change the existing plan even though the right to do so is permitted in the RFP document. He predicts the significant possibility of additional expenses and delays of the project that would be disadvantageous to the Township. Further discussed was compliance with COAH Third Round regulations and obligations and the impact on the Township's infrastructure like schools that would be increasing the tax rate.

Mr. Bischoff asked Ms. Lonergan to explain briefly Payment in Lieu of Taxes (PILOT). She explained that approximately 6.3% of the rental would be coming back to the municipality as PILOT. This money would not be shared with schools or the County.

Mr. Bischoff commented that it would still be less than if these properties were sold at the market value or even as affordable units. Taxpayers would be responsible for higher school taxes, since growth of schools, both local and regional, is inevitable and none of the PILOT funds is allocated for that purpose.

Scores for receiving PILOT financing were briefly discussed. Mr. Bischoff had many questions on the PILOT financing and will contact Ms. Lonergan for explanation.

Mrs. Dziubek confirmed with Ms. Lonergan that any further permits required for the project would be a developer's responsibility.

OUT OF AGENDA ORDER

**Motion** – Approval of Request for Proposals – Milligan Farm Affordable Housing  
**Mrs. Dziubek made a motion to approve RFP's for Milligan Farm COAH, contingent upon approval by special Counsel Mr. Koenig of the final draft of the RFP's dated July 19, 2008. Mr. Haynes seconded the motion. Vote – Ayes; Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.**

Mrs. Dziubek and the Clerk are to contact Mr. Koenig regarding above subject.

OUT OF AGENDA ORDER

Discussion – Milligan Farm Appraisal

Mrs. Dziubek stated that she received a request from Dennis Sanders from DCA to forward appraisals for the Milligan Farm to DCA. They have requested a second appraisal on the property. It was agreed that Atty. Jost will contact DCA with regard to the second appraisal of the Milligan Farm.

**OLD BUSINESS**

a. 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 distributed a copy of the resolution to the Committee members. After a short discussion, it was decided to change some language of the resolution to give a clear and simple explanation to the Township taxpayers for the purpose of it. Further discussed was the importance that the taxpayers of this Township fully understand Committee's motivation for holding the referendum. The resolution will be voted on at the next Committee meeting on August 6, 2008.

**NEW BUSINESS**

a. The following resolution was introduced for adoption:

**RESOLUTION #2008-130  
UNION TOWNSHIP, HUNTERDON COUNTY  
ACCEPT & AWARDED CONTRACT / 2008 MAINTENANCE AND ROAD REPAIR  
PROGRAM**

---

WHEREAS, the Township Committee of the Township of Union accepted bids for the 2008 Maintenance and Road Repair Program on July 22, 2008; and

WHEREAS, a letter has been received from the Township Engineer recommending that the contract for the 2008 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 2008 Maintenance and Road Repair program from Asphalt Paving Systems, Inc. whose bid amounted to \$65,796.00.

AWARD OF CONTRACT

BE IT RESOLVED, that the contract for the 2008 Maintenance and Road Repair Program be and is hereby awarded to Asphalt Paving Systems, Inc. in the amount of \$65,796.00 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.

**CERTIFICATION AS TO AVAILABILITY OF FUNDS**

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2008 Adopted Budget to award a contract to Asphalt Paving Systems, Inc., under the line item Streets and Road Maintenance.

Date: \_\_\_\_\_

\_\_\_\_\_  
Grace M. Brennan, CFO

Mayor Mazza stated that he received a complaint against oil & chipping of the road from a Country Acres resident. He said the resident was against it because last time it was done her car was ruined. Apparently the stone was not rolled. Township Engineer Reymann assured that it will be rolled.

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

b. The following resolution was introduced for adoption:

**RESOLUTION #2008-  
Shared Municipal Court Agreement**

No action was taken on the above resolution.

ITEM NOT LISTED ON THE AGENDA

Atty. Jost presented the following resolution for adoption:

**RESOLUTION #2008-131  
RESOLUTION AUTHORIZING CONTRACT FOR  
ENVIRONMENTAL CONSULTING SERVICES FOR 2008**

## MINUTES OF A SPECIAL MEETING July 23, 2008

**WHEREAS**, the Township of Union has a need to acquire environmental consulting services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44A-20.5; and,

**WHEREAS**, the anticipated value of the contract is not to exceed \$10,000; and

**WHEREAS**, anticipated term of this contract is one year; and,

**WHEREAS**, ENVIRONMENTAL STRATEGIES INC. T/A ESI CONSULTANTS AND STEVEN BALZANO has submitted a proposal indicating the fee for services rendered shall be \$125.00 hour plus-out-of-pocket expenses; and

**WHEREAS**, ENVIRONMENTAL STRATEGIES INC. T/A ESI CONSULTANTS AND STEVEN BALZANO has completed and submitted a Business Entity Disclosure Certification which certifies that ENVIRONMENTAL STRATEGIES INC. T/A ESI CONSULTANTS AND STEVEN BALZANO has not made any reportable contributions to a political or candidate committee in the Township of Union in the previous one year, and that the contract will prohibit ENVIRONMENTAL STRATEGIES INC. T/A ESI CONSULTANTS AND STEVEN BALZANO from making any reportable contributions through the term of the contract; and,

**WHEREAS**, the Township Chief Financial Officer has certified to the governing body the availability of funds for said contract in a line item entitled Planning Board Miscellaneous, OE; and,

**NOW THEREFORE, BE IT RESOLVED** that the Township Committee authorizes the Mayor and Clerk to enter into a contract with ENVIRONMENTAL STRATEGIES INC. T/A ESI CONSULTANTS AND STEVEN BALZANO as described herein; and,

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** that a Notice of this action shall be printed once in the Hunterdon County Democrat.

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

Mrs. Dziubek asked for a motion to authorize Mr. Balzano to start a review and provide recommendation with regard to the UT Stormwater Management Plan.

Mr. Haynes questioned costs for Mr. Balzano's services as well as sources of funds. Mayor Mazza stated funds would be coming from the Planning Board budget. He added that Mr. Balzano's hourly rate is \$125.00 and total charges will not exceed \$10,000.00 for 2008 services.

Mr. Haynes also questioned the fact that if Mr. Balzano does not do the plan, why the Township could not hire someone that would do both plan and review. Atty. Jost and members of the Committee clarified that Mr. Balzano has great experience and his expertise would be of great value to the Township. Mr. Balzano will submit a written report with his findings and recommendations.

At this time, Atty. Jost called Mr. Balzano on his cell phone asking for the estimated cost to review Wastewater Management Plan. Mr. Balzano said that it depends what the condition of the existing document is. He said it should not be more than half of his estimated cost for the year, but it could be less.

**Mr. Bischoff made a motion to authorize Mr. Balzano to proceed with his work evaluating the Union Twp. Wastewater Management Plan and make recommendations with regard thereto. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.**

#### **Clerk's Report**

- Raffle License #2008-15 Interfaith Hospitality Network of HC, Inc.; Off Premise Merchandise; 11/10/08
- Raffle License #2008-16 Hunterdon Hills Friends of NRA Comm.; On Premise Merchandise; 10/10/08
- Raffle License #2008-17 Church of The Immaculate Conception; Off Premise Merchandise; 11/16/08
- Raffle License #2008-18 Church of The Immaculate Conception; On Premise Tricky Tray; 11/16/08
- Raffle License #2008-19 Church of The Immaculate Conception; Off Premise Merchandise; 11/16/08

Mrs. Dziubek made a motion to approve said raffle licenses as listed above. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion Carried.

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

#### **EXECUTIVE SESSION**

At approximately 9:53 p.m., the following resolution was introduced for adoption:

#### **RESOLUTION #2008-132 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: Contract Negotiations-Shared Municipal Court Services with Clinton Township.

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

At approximately 10:07 PM, Mrs. Dziubek made a motion to return to the regular meeting, Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, 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. Mrs. Dziubek seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 10:08 p.m.

Respectfully submitted,

Ella Malecki Ruta, RMC  
Municipal Clerk