

1. CALL TO ORDER

Mayor Bischoff opened the meeting at 7:10 p.m.

- 2. **“Sunshine Law” Announcement:** Adequate notice of this public meeting has been provided by notice published in the Hunterdon Democrat and Courier News; posted on Union Township website, public bulletin board and on file in the Municipal Clerk’s Office.

3. FLAG SALUTE

- 4. **ROLL CALL** Present: Mr. Severino, Mr. Mazza, Mr. Hirt, Ms. McBride, Mr. Bischoff
Others Present: J. Peter Jost, Esq., Ella M. Ruta, Clerk, Robert Clerico, Engineer

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Re-organization Meeting Minutes of January 4, 2012.
Ms. McBride made correction on page 3, UTEC appointments.

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

Motion carried

- b. Regular Meeting Minutes of January 4, 2012.

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

Motion carried

6. VISITORS

- a. Julie Hajdusek – NJ Water Supply Authority. Brief presentation and discussion about the Schueing farm Green Acres property and leasing to hunt clubs.
- b. Trooper Flynn – Mayor had conversations with Acting Lt. Robinson with regard to two issues, Finn Road Park and the alarm ordinance. We will be introducing the alarm ordinance tonight. Mayor received comments and changes to one paragraph from Acting Lt. Robinson

Ms. McBride mentioned the newspaper article of a man who passed away at the Bloomsbury Truck Stop.

The Mayor mentioned the story and pictures on NJ.com concerning the trash along Route 173 and Frontage Road. The article will also appear in the Hunterdon Democrat tomorrow. The Attorney

mentioned that we are still waiting for signs posted by DOT on 173 that prohibit stopping and standing on 173 for the entire length in Union Township. Appreciate any help Trooper Flynn can provide.

Mr. Mazza mentioned trucks parking on eastbound entrance ramp to I-78 during early morning hours.

- c. Pattenburg Fire Chief Van Fossen asked to use Hoffman House for fire drill (smoke) before it is demolished.

Motion: Allow Pattenburg Volunteer Fire Department the use of the Hoffman House for fire drill (smoke) exercise.

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

Motion carried subject to insurance certificate.

7. REPORTS RECEIVED

- Road Dept - Weeks Ending 1/6/12; 1/13/12
- Engineer’s Report
 - o Committee requested at December meeting that I prepare a summary outline of the steps that would be involved of undertaking the Race St. stream bank stabilization project. Issued memo on Jan. 1st to the Committee. Gave overview of the memo and stated that the first four steps could be done simultaneously. Ms. McBride said the question is should we move forward with these four steps because the situation is not going to improve. Discussion of off-site contributions for the work.
 - o Has Union Township been contacted about FEMA claims? Not yet, according to Mr. Hirt.
 - o Hoffman Building demolition bid postponed until March 20 due to the possible presence of asbestos.
 - o Call from Transco wants to talk to Engineer about the crossing of their Transco pipeline with Patrick Drive and what might be entailed with that crossing.
 - o In the midst of my final inspection on Pilot which I hope to finish by the end of next week.

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Mazza mentioned the following correspondence: None

Mr. Hirt mentioned the following correspondence: - None

Mr. Severino mentioned the following correspondence:

- Cynthia Yard, County Administrator Re: Payment in Lieu Taxes (PILOT) Program Funds. Discussion by Committee contact Tax Assessor and CFO for their input.

Ms. McBride mentioned the following correspondence:

- Washington Watch Fax Advisory, Re: Federal Road Sign Standards Update. By January 22, 2012 we must have a “sign management plan” in place that will detail our intentions to replace signs, as needed, due to normal wear and tear, or sooner.

RESOLUTION #2012-26

UNION TOWNSHIP, HUNTERDON COUNTY
SIGN MANAGEMENT PLAN

BE IT RESOLVED, that the Township intends to have a sign management plan in place by January 22, 2012 and

BE IT FURTHER RESOLVED that the Township will use the recommended letter heights rather than commissioning a separate engineering study for smaller letter types and

BE IT FURTHER RESOLVED that after January 22, 2012 any new regulatory or warning signs or post-mounted signs will meet the standards of the Federal Highway Administration.

Discussion: The Attorney will contact Mr. Moran of NJLM for an extension of time and specific language.

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

Motion carried

Mr. Bischoff mentioned the following correspondence:

- Mayors Advisory, Re: Survey created by NJ Child Fatality and Near Fatality Review Board. Do we have in Union Township an ordinance that requires fences around pools and things of that nature? The Attorney responded that he believes we do and the DCA regulations require fences around pools. The Attorney will check the Ordinance.
- NJ DEP, Re: "Recycling Enhancement Act". Mr. Severino said that this is about the need for a Certified Recycling Coordinator to certify annual tonnage reports.
- NJ DCA, Re: Public Works Manager Extension.

RESOLUTION #2012-27

AUTHORIZING APPLICATION FOR MUNICIPAL EXEMPTION FROM REQUIREMENT TO APPOINT A PRINCIPAL PUBLIC WORKS MANAGER

WHEREAS, N.J.S.A. 40a:9-154.6g et seq. specifically subsection (d) provides that any municipality that conducts minimal or no public works activity may apply to the Director of the Division of Local Government Services for an exemption from the requirement to appoint a principal public works manager; and

WHEREAS, this governing body is of the opinion that this municipality conducts minimal public works activity and therefore qualifies for the exemption set forth in the above statutes;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that this governing body hereby requests that the Director of the Division of Local Government Services allow an exemption to this municipality from the requirement to appoint a principal public works manager; and

BE IT FURTHER RESOLVED, that the Mayor and/or Clerk are hereby authorized to prepare, sign and submit the appropriate application for municipal exemption from the requirement to appoint a principal public

works manager (N.J.S.A. 40A-154(6g) to the Director of the Division of Local Government Services as soon as possible, and take all other necessary actions to qualify for such exemption.

Motion: The Mayor and Clerk are hereby authorized to sign an application for municipal exemption from the requirements to appoint a Municipal Public Works Manager for N.J.S.A. 40AL9-154.6.g.d. and to file that as soon as possible with the Department of Community Affairs, Department of Government Services.

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

Motion carried

- HC Engineer Office, Re: Flood Hazard Area & Freshwater Wetlands General Permit Application, Race Street over Grandin Stream. Informational copy.
- Lebanon Borough, Re: Res. Supporting Shared Services & Discussion on County School District. Information only.

9. PUBLIC COMMENTS

- Pat Lingelbach, Main St., Jutland. Fire Department Drill at Hoffman house concerns. Asked if the residents in the area could be informed beforehand. Mrs. Lingelbach also concerned that the smoke machines used in the drill may damage floors and fireplace. Committee suggested the Fire Dept. hand deliver cards informing the residents on Baptist Church Road of the fire drill.
- Steve Hurford, Main St., Jutland. Complimented the new website and reported that links for some of the minutes from late 2011 were not working. Ms. McBride thanked Mr. Hurford.
- John Kulick, Perryville Rd, Voorhees School Representative as a liaison to the Township. Updated Committee on scholarship activity in the school district.

10. PUBLIC HEARING – none

11. OLD BUSINESS

- a. **Resolution #2012** – Reinstating Paris Grant Funds. Tabled

12. NEW ORDINANCE – 1st Reading

**ORDINANCE 2012-1
AN ORDINANCE OF THE TOWNSHIP OF UNION,
HUNTERDON COUNTY, NEW JERSEY
PROVIDING FOR THE REGISTRATION OF ALARM SYSTEMS
INSTALLED WITHIN THE TOWNSHIP; ESTABLISHING
CERTAIN STANDARDS FOR SUCH ALARMS;
IMPOSING PENALTIES FOR CERTAIN FALSE ALARMS AND
OTHER VIOLATIONS OF THIS ORDINANCE**

Tabled. Mr. Severino will research how information will be gathered on residents with alarm systems. Mr. Severino will send a letter to the State Police requesting information about the number of false alarms they have answered within Union Township.

13. NEW BUSINESS

a. The following resolution was introduced for adoption:

RESOLUTION #20112-28

**UNION TOWNSHIP, HUNTERDON COUNTY
2012 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES
Richard Roseberry / Maser Consulting P. A.**

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

WHEREAS, the Chief Financial Officer has determined that the value of the services will exceed \$17,500; and

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

WHEREAS, the firm of Maser Consulting P.A., has completed and submitted a Business Entity Disclosure Certification which certified that Maser Consulting P.A. 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 Maser Consulting P.A. from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT AGREED by and between the Township of Union and Richard Roseberry from Maser Consulting P.A. as follows:

1. The Engineer shall be compensated at the hourly rate for all engineering services rendered as needed or requested by the Township Committee, Planning Board/Board of Adjustment, or other Township agencies.
2. Alternate Engineering services may be performed for the Township by other principals and employees of the firm of Maser Consulting P.A. under the direct supervision of C. Richard Roseberry, P.E. is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from January 1, 2012, to December 31, 2012.
4. The Alternate Township Engineer agrees that no services are to be performed unless specific approval is granted by an appropriate Township official either verbally or in writing.
5. An Affirmative Action Employee Information Report is attached and is part of this agreement. In addition, a copy of Exhibit A, Mandatory Affirmative Action Language, and business Disclosure Entity Certification and the Determination of Value are attached and also part of this agreement.
6. Maser Consulting P.A. will carry, at its expense, during the appointment period professional liability insurance.
7. If any provision or part thereof of this agreement is held to be void or unenforceable under any law and shall be deemed stricken all remaining provisions shall nevertheless continue to be valid and binding upon the parties. The parties agree that this agreement shall be reformed to replace such stricken provision or part thereof with a

valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.

8. A notice of this action shall be printed once in the official newspaper.

Date:

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 2012 Temporary/Adopted Budget to award a contract to Maser Consulting P.A. under the line item "Engineering".

Date: _____

Grace M. Brennan, CFO

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

Motion carried subject to Attorney review.

b. The following resolution was introduced for adoption:

RESOLUTION #2012-29

**UNION TOWNSHIP, HUNTERDON COUNTY
AUTHORIZING THE AWARD OF A
2012 PROFESSIONAL SERVICES RESOLUTION/AUDITOR:
SUPLEE, CLOONEY & COMPANY**

WHEREAS, there exists a need for a municipal Auditor as a non-fair and open contract pursuant to provisions of N.J.S.A.19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

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

WHEREAS, SUPLEE, CLOONEY & COMPANY has submitted a proposal, indicating they will provide the auditor services for the fee not to exceed \$29,500.00; and

WHEREAS, SUPLEE, CLOONEY & COMPANY has completed and submitted a Business Entity Disclosure Certification which certified that SUPLEE, CLOONEY & COMPANY 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 SUPLEE, CLOONEY & COMPANY from making any reportable contributions through the term of the contract; and

WHEREAS, the required certificate for the availability of funds has been filed by the Chief Financial Officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C.5:30-14.5 and that fees for the aforementioned auditing and non-auditing services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, authorizes the Mayor and Clerk of the Township of Union to enter into a contract with SUPLEE, CLOONEY & COMPANY as described herein as auditors on and in behalf of the Township of Union for the year **2012**; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the official Township newspaper and a copy of this Resolution shall be forwarded to SUPLEE, CLOONEY & COMPANY, the Township Clerk and the Township Financial Officer.

CERTIFICATION AS TO AVAILABILITY OF FUNDS
UNION TOWNSHIP, HUNTERDON COUNTY

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 to award a contract to SUPLEE, CLOONEY & COMPANY, as appropriated in the **2012** Temporary/Adopted Budget under the line item "Finance OE".

Date:

Grace M. Brennan, CFO

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

Motion carried subject to Attorney review

c. The following resolution was introduced for adoption:

RESOLUTION #2012-30

**UNION TOWNSHIP, HUNTERDON COUNTY
2012 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES
Robert Clerico P.E.; Van Cleef Engineering Associates**

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

WHEREAS, the Chief Financial Officer has determined that the value of the services will exceed \$17,500; and

WHEREAS, the firm of Van Cleef Engineering Associates, 1128 Route 31, Lebanon, NJ 08833, has completed and submitted a Business Entity Disclosure Certification which certified that Van Cleef Engineering Associates, 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 Van Cleef Engineering Associates from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT AGREED by and between the Township of Union and Van Cleef Engineering Associates as follows:

1. The Engineer shall be compensated at the hourly rate for all engineering services rendered as needed or requested by the Township Committee, Planning Board/Board of Adjustment, or other Township agencies.
2. Engineering services may be performed for the Township by other principals and employees of the firm of Van Cleef Engineering Associates under the direct supervision of Robert Clerico, P.E., when Robert Clerico, P.E. is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from January 1, 2012, to December 31, 2012.
4. The Township Engineer agrees that no services are to be performed unless specific approval is granted by an appropriate Township official either verbally or in writing.
5. An Affirmative Action Employee Information Report is attached and is part of this agreement. In addition, a copy of Exhibit A, Mandatory Affirmative Action Language, and business Disclosure Entity Certification and the Determination of Value are attached and part of this agreement.
6. Van Cleef Engineering Associates will carry, at its expense, during the appointment period professional liability insurance.
7. If any provision or part thereof of this agreement is held to be void or unenforceable under any law and shall be deemed stricken all remaining provisions shall nevertheless continue to be valid and binding upon the parties. The parties agree that this agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.
8. A notice of this action shall be printed once in the official newspaper.

Date: January 18, 2012

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 2012 Temporary/Adopted Budget to award a contract to Van Cleef Engineering Associates, under the line item "Engineering".

Date: _____

Grace M. Brennan, CFO

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mr. Hirt			X			

Ms. McBride	X		X			
Mr. Bischoff			X			

Motion carried subject to Attorney review

- d. **Motion to Approve:** Alexandria Education Foundation – Application for Special permit for Social Affair at Hunterdon Hills Playhouse

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

Motion carried

14. REPORTS

a. **Attorney’s Report**

- Matters for Executive Session.
- Mr. Severino asked about Jake Porter re: exercise stations at the Park. The Attorney and Mr. Porter will speak with the insurance agent concerning mulch.

b. **Mayor’s Report**

- Quote “To be prepared for war is one of the most effectual means of preserving peace.” George Washington – 1st State of the Union Address January 8, 1790.
- Items for Executive Session.
- Rutgers Public Policy School Sustainable Raritan River Action Plan, copies to Ms. McBride and UTEC. UTEC for comment.
- Mr. Hara has two people who have not had background checks.
- Planning Board training for Bruce Hirt and Patricia Dziubek who should inform CFO.
- Asked Bruce Hirt to attend orientation for Township Officials.

c. **Committee Report**

Mr. Mazza reported the following:

- Hired three plow drivers, given briefing by the DRF Foreman.
- Trees in right of way which are possibly dead. Asked DRF Foreman, Hermann to contact Nace to remove tree and chip it up along with a few small dead trees.
- Chipping at the park this Friday. Plans to bring chipper/grinder on Friday.

Mr. Hirt reported the following:

- OEM has a list of trees leaning on power line. Will provide that list to Mr. Mazza. Nace is going to remove them and chip them.

Ms. McBride reported the following:

- Ms. McBride mentioned the “Democrat” story about the trash on Rt. 173 and accompanying photos. Mr. Hirt mentioned the vacant property used for trucks during the power outage. Ms. McBride replied that the property in question owned by the NJDEP Department of Fish and Wildlife Management and that she had personally the manager, requesting them to clean it up. What is the next part of the game plan? Mayor to write a letter to Mr. Simpson of NJ DOT with copy of article (copies to our legislative representatives).

- Met with the Tax Collector to obtain property owner information requested by the NY NJ Trail Association. The Association was very happy to get that information and will contact owners in question about possible trail easements.
- Continue to work with CitiNet on setting up online tax payments. We have additional paperwork that only the Tax Collector can complete, will complete when she returns to office next week.
- Interviewed four potential tax assessors to date and one tax collector. Discuss details in Executive Session.
- Our ANJEC Grant for conservation easements will be drawing to a close in March or April. I need to go before our Planning Board to give them our conservation easements inventory and maps in the hopes that they will approve it as an addendum to the next revision of the Master Plan. I am on their next agenda.
- Personnel for Executive Session.

Mr. Severino reported the following:

- Mayor and I met with State Police and relayed your requests asking them to patrol parks more.
- I will look into current heat/air conditioning issues.
- Proposed changes to School Board elections. School Board elections moved from April to the general election in November and school budgets within the 2% cap will not need to be voted on.

d. Clerk’s Report

- Raffle License #2012-2 Alternatives, Inc.; Off Premise 50/50; 3/23/12

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

Motion carried

15. PUBLIC COMMENTS – None

16. PAYMENTS OF BILLS

The approved list of bills and 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.

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

Motion carried

17. EXECUTIVE SESSION – Personnel, Contract Negotiations, Potential Litigation, Matters Concerning Attorney Client Privilege

The following resolution was introduced for adoption:

RESOLUTION #2012-30

Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.

2. _____ *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in Executive session on January 18, at 9:19 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

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

Motion carried

10:42 p.m. motion to come out of Executive Session

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

Motion carried

Motion: Authorize Mrs. McBride to contact the candidate that we discussed most favorable in the Executive Session and to attempt to make an offer along the lines discussed in Executive Session acceptable to hire that person effective upon the vacating of the office by Mr. Vance.

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

Motion carried

Motion: Authorize the sub-committee of the Mayor and Ms. McBride to contact the Tax Collector candidate discussed in Executive Session and attempt to negotiate a satisfactory employment agreement along the lines discussed in Executive Session subject to the discretion of the sub-committee.

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

Motion carried

Motion: Accept the resignation of the present Tax Collector Alice Anne Pareti as tendered by her and accept her kind offer to extend her resignation date to February 10, 2012, first quarter tax payments as her effective date of resignation with thanks for her good services as Tax Collector.

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

Motion carried

Ordinance – Introduction

PLEASE TAKE NOTICE that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 18th day of January, 2012. The Ordinance was then ordered to be published according to law. Notice is hereby given that the said Ordinance will be considered for final passage at a public hearing to be held on the 15 day of February, 2012 at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

Ella M. Ruta, Clerk

ORDINANCE NO. 2012-1

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER VII, SECTION 7-10, OF THE CODE OF THE TOWNSHIP OF UNION, PROHIBITING STOPPING OR STANDING OF CERTAIN TRUCKS, VEHICLES AND TRAILERS ON THE STREETS AND ROADS OF UNION TOWNSHIP, HUNTERDON COUNTY NEW JERSEY

BE IT ORDAINED AND ENACTED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey that Chapter VII, Traffic, of the Revised General Ordinances of the Township of Union, is hereby amended to add the following Section 7-10:

I. 7-10 STOPPING OR STANDING OF CERTAIN TRUCKS, VEHICLES AND TRAILERS PROHIBITED. No person shall stop or stand a truck, tractor, trailer, semi-trailer or omnibus having a registered gross vehicle weight (GVW) in excess of ten (10) tons at any time upon any of the streets or parts of streets described, except for pick-ups and deliveries, contractor vehicles engaged in construction, repairs or maintenance of buildings, trees or vegetation on the adjoining property, or governmental and public utility vehicles engaged on official business.

Name of Street(s)	Side(s)	Locations
All Streets	Both	All

II. Regulatory and warning signs shall be erected and maintained to affect the above designated No Stopping or Standing zones.

III. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

IV. All ordinances or parts of ordinances of the Township of Union heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

V. This Ordinance shall take effect immediately upon final passage and publication according to law. A certified copy of this Ordinance shall be transmitted to the Commissioner of the New Jersey Department of Transportation within 30 days of the adoption hereof.

Attest:

Ella M. Ruta, Clerk

William F. Bischoff, Mayor

First Reading: 1-18-2012
Publication: 1-26-2012
Second Reading: 2-15-2012
Published by Title: 2-23-2012

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

Motion carried

RESOLUTION #2012-31

**Re: Comments of Union Township Committee
In Opposition to Northeast Supply Link Project,
Docket No. CP12-30-000 (PF11-4-000), Stanton Loop
Transcontinental Gas Pipeline Company LLC**

WHEREAS, Transcontinental Gas Pipeline Company, LLC (“Transco”) is proposing to expand its natural gas pipeline infrastructure through Union Township by adding a third pipeline of 42 inch diameter, the Stanton Loop, to their existing 24 inch and 36 inch diameter pipelines, as part of its Northeast Supply Link Project (“Project”), Docket No. CP12-30-000 (PF11-4-000); and

WHEREAS, on December 14, 2011, Transco filed an application with the United States Federal Energy Regulatory Commission (“FERC”) for authorization to construct and operate the above-referenced project; and

WHEREAS, Township Committee members have already expressed concerns regarding the pipeline expansion project based on safety issues, its potential harm to municipal and county infrastructure, and its likely impact upon existing and future development in the Township; and

WHEREAS, the Township Committee continues to be concerned that the existing Transco pipelines are over fifty years old and damage to them may occur as the new pipeline is installed next to and in some portions, underneath, the existing lines, and heavy construction machinery will be used in close proximity to the existing lines. Heavy equipment will also be in close proximity to the foundations of homes due to the constraints of available work space, with proposed temporary work space planned within 25 feet of existing residential structures. Temporary work space usage will also impact the existing soil, reducing water absorption, and may increase future flooding possibilities; and

WHEREAS, the Township Committee continues to be concerned about the hazards the project may create due to the nature and volume of the highly pressurized flammable gases flowing through the proposed pipeline, adjacent to two additional pipelines, and its proposed route, which crosses County Route 513, Patrick Drive, twice crosses a proposed new residential road, and traverses numerous residential driveways, and 1,200 linear feet of state funded Green Acres municipal park land, commonly known as “Milligan Farm”. These lands will be in the “Blast Zone”, should a disaster occur; and

WHEREAS, the New Jersey Board of Public Utilities and New Jersey Administrative Code, Title 14, Chapter 7, Subchapter 1 states, “No person shall install...a natural gas pipeline with a maximum operating pressure in excess of 250 psig within 100 feet of any building intended for human occupancy” and the project as currently proposed will be within approximately 100 feet of five residential structures in Union Township, one structure as close as 35 feet to the proposed pipeline, in addition to three residential structures which have received initial approval for construction; and

WHEREAS, the Township Committee is reminded of the gas pipeline explosions in Edison and Bernards Township, New Jersey, the five pipeline explosions in Philadelphia, PA, Allentown, PA, Hanover Township, OH,

Minnesota, and Floresville, TX; and the disastrous gas pipeline explosion in San Bruno, California that wiped out an entire neighborhood on September 10, 2010; and

WHEREAS, a potential pipeline explosion could harm hundreds of people, we express grave concerns about the safety of this project in its proposed form and demand assurances that the project will be protective of the health, safety, and welfare of our citizens; and

WHEREAS, the Township Committee's responsibility is to provide a safe environment for its residents, and this pipeline raises serious safety concerns as described above; and

WHEREAS, the pipeline project is being proposed based on speculative consumer demand and a glut of natural gas being supplied by drillers in the Marcellus Shale region; and

WHEREAS, data from the U.S. Energy Information Administration shows that, between 1999 and 2009, total natural gas consumption for all sectors decreased by 13.3% in New Jersey and 10.4% in New York; and

WHEREAS, data from the U.S. Energy Information Administration shows that, between 1999 and 2009, industrial demand for natural gas fell by 75.6% in New Jersey and 28.4% in New York, which means industrial consumption in 2009 was at its lowest levels since 1978 in New Jersey and 1967 in New York; and

WHEREAS, the 2010 U.S. Energy Information Administration's *International Energy Outlook* document finds that total U.S. natural gas consumption will decline from 2007 to 2015 due to "slow growth in electricity demand, completion of coal-fired plants currently under construction, and additions of new renewable capacity," and not return to 2007 levels until 2025; and

WHEREAS, the proposed project may result in a loss of tax revenue for Union Township based on right-of-way agreements with Transco and a decline in the property values of homes along and adjacent to the new pipeline and surrounding neighborhoods as a direct result of the project; and

WHEREAS, consumer demand must be proven and environmental, public safety, and homeowner impacts resulting from the project must be studied before FERC grants Transco a certificate authorizing construction and operation of this Project; and

WHEREAS, the New Jersey Legislature recognized the significance of the New Jersey Highlands region and afforded special protection to the region and its resources in 2004 with the passage of the New Jersey Highlands Water Protection and Planning Act. The Act created the Highlands Water Protection and Planning Township Committee and the Highlands Regional Master Plan to ensure resource based planning would be used in the Highlands to combat sprawl and the depletion of water quality and quantity as the region provides drinking water to 5.4 million state residents; and

WHEREAS, Union Township is located within the New Jersey Highlands Region and has declared its intention to conform to the Highlands Regional Master by submitting a conformance petition to the New Jersey Highlands Water Protection and Planning Township Committee; and

WHEREAS, the federal government acknowledged the exceptional value of Highlands resources and the urgent need for their preservation in 2004 when Congress passed the Highlands Conservation Act which "recognize[s] the importance of the water, forest, agricultural, wildlife, recreational, and cultural resources of the Highlands region, and the national significance of the Highlands region to the United States."; and

WHEREAS, Union Township contains critical Highlands open water resources, open water protection areas, and wetlands, including the Spruce Run Reservoir and the Sidney Brook, a Category 1 stream which

empties into the South Branch of the Raritan River, which provides drinking water to over one million state residents and may be negatively impacted by this project as the pipeline route crosses watershed lands, several tributaries of the Category 1 stream Sidney Brook, related wetlands, and related C-1 stream buffers; and

WHEREAS, several areas proposed for temporary work space outside the permanent and temporary easement are within 25 feet of residential structures; others are within the building envelope of residential structures which have received initial approval for construction; and additional areas proposed for temporary work space are within wetlands zones, open water protection areas, and critical habitat zones according to the Highlands Council Interactive Map; and

WHEREAS, this project will impact Green Acres open space owned jointly, 90.47% by Union Township, and 9.53% by the New Jersey Water Supply Authority, commonly known as Milligan Farm, which based upon Highlands Council Interactive mapping contains critical species habitat, prime groundwater recharge areas, open water protection areas, and is listed as a Forest Resource Area and Moderate Conservation Priority Area; and

WHEREAS, Milligan Farm, in addition to containing the Category 1 stream Sidney Brook and related wetlands which would be directly impacted by the proposed pipeline expansion, also contains an Environmental Infrastructure Trust (EIT) Easement of 8.440 acres +/- covering sensitive and critical watershed area which includes a tributary to the Sidney Brook, which EIT Easement is located within approximately 100 feet of the proposed new pipeline; and

WHEREAS, Union Township has received confusing and conflicting mapping and other information from Transco, which is inconsistent with maps and data of the Township and the NJDEP; and

WHEREAS, many Township residents depend on ground water and public community water systems for water supply, and septic systems for waste disposal and this project will impact groundwater quality and quantity and the septic fields of residents along and adjacent to the right of way; and

WHEREAS, the wise stewardship of our natural resources involves protection of Union Township's water supplies and water and other natural resources for generations to come; and

WHEREAS, protection of Union Township's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restoring degraded environments after the fact; and

WHEREAS, within ninety (90) days of FERC's notice of Transco's application, dated December 29, 2011, FERC will either complete its environmental assessment (EA) and place it into the public record, or issue a Notice of Schedule for Environmental Review; and

WHEREAS, if FERC issues a preliminary draft of its EA within said ninety (90) day deadline, the public will only have approximately thirty (30) days to respond to the Environmental Assessment and thereafter FERC may issue a final EIS and proceed to issue a Certificate Order authorizing Transco to construct the Project; and

WHEREAS, the Township Committee continues to believe that the environmental impacts of the installation of these proposed expanded high pressure pipeline facilities through the "Milligan Farm" and its Category 1 Stream, Sidney Brook and related wetlands, C-1 stream buffers and related sensitive environmental easement areas must be carefully studied and considered by FERC rather than being glossed over in a superficial study; and

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WHEREAS, it appears that the Northeast Supply Link Project may be placed on a “fast track” for approval rather than being carefully studied and deliberated; and

WHEREAS, on December 5, 2011, FERC representatives Maggie Suter and Doug Sipe met with residents of the Patrick Drive subdivision in Union Township as well as representatives of Transco and Union Township to help answer questions of residents and Township officials regarding the safety and environmental issues of placing expanded high pressure gas transmission lines in close proximity to existing residential properties;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, in the County of Hunterdon, the following recitals are incorporated as of January, 2012:

1. The Township Committee continues to oppose the proposed Stanton Loop expansion of Transco’s pipeline within Union Township.
2. The Township Committee continues to call for a moratorium on any and all planning, proposal, installation, or expansion of the Transco gas pipeline through Union Township.
3. Because this project will traverse and negatively impact numerous significant natural areas and the resources of the municipality and the Highlands region, the Township Committee continues to request that FERC require a full Environmental Assessment (EA) be prepared to assess the many environmental consequences of the project, particularly with regard to its impact upon the unique watershed resources of the Milligan Farm and the Sidney Brook. The Township Committee deplores any suggestion that the required Environmental Assessment for this Project should be rushed through to completion on an expedited basis without thoroughly considering the environmental impacts of the project on the sensitive lands and watershed areas affected.
4. The Township Committee expresses its appreciation to FERC for arranging a meeting in Union Township at the Patrick Drive subdivision with Transco and FERC representatives, at which Union Township residents affected by the proposed pipeline expansion were able to discuss localized impacts on the said residents, the Township and its resources and to discuss information from the company on the safety of the project, where this type of expansion project has been constructed before, and what type of equipment and engineering techniques will be used within the Township. However, the information supplied by FERC and Transco does not compensate homeowners and the Township due to losses in property values and tax revenues and losses of quality of life in the Township resulting from this Project, particularly to the residents of the Patrick Drive subdivision. The Township Committee believes that the multiple potential safety impacts of the proposed pipeline expansion in the vicinity of the Patrick Drive subdivision have not been studied sufficiently, particularly with regard to the pipeline installations that are proposed within mere feet of certain residences.
5. The Committee notes that there is only one road for ingress and egress to the Patrick Drive subdivision and is not aware that access for emergency vehicles as well as the residents themselves has been addressed by Transco, in addition to the anticipated tremendous disruption to be caused by the pipeline installation within the subdivision.
6. Certified copies of this resolution shall also be distributed to:
 1. Governor Chris Christie
 2. Senator Michael Doherty
 3. State Assemblyman John DeMaio

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- 4. State Assemblyman Erik J. Peterson
- 5. Congressman Leonard Lance
- 6. All Hunterdon County Municipalities

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be filed electronically with FERC using the e-filing link at <http://www.ferc.gov> in lieu of paper, as the comments of this governing body for the consideration of FERC in determining the appropriate action to be taken regarding this Project.

BE IT FURTHER RESOLVED that a copy of this resolution shall be forwarded to Transco via e-mail to: patrick.j.mcclusky@williams.com and also mailed to the attention of Patrick McClusky, Sr. Land Representative, Transco, 2800 Post Oak Blvd., Level 17, Houston, TX 77056.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately;

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

Motion carried

Executive Session Minutes subject to the changes discussed in Executive Session.

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

Motion carried

Motion: To authorize the Mayor to work with the State Police to resolve the issue of the juvenile delinquency and vandalism in Finn Road Park.

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

Motion carried

ADJOURNMENT - There being no further business to come before the Township Committee at this time, Ms. McBride made a motion to adjourn. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 10:48 p.m.

Respectfully submitted,

Ella M. Ruta, RMC
Township Clerk

William F. Bischoff, Mayor

Prepared by: Pat Essig, Administrative Assistant