

1. CALL TO ORDER

Mayor Bischoff opened the meeting at 7:07 p.m.

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

3. FLAG SALUTE

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

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular Meeting and Executive Session Minutes of September 19, 2012.

Roll Call 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

6. VISITORS

OUT OF AGENDA ORDER

Mary Jo Haggerty, Brass Castle Estates. Barricades for Halloween.

Motion: Approve barricades at Brass Castle Estates on Halloween, Oct 31st during Trick or Treat hours. Subject to adding Union Township as additional insured to liability insurance.

Roll Call 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

RETURN TO AGENDA ORDER

- a. Recreation Committee Chairman Jack Hara – proposal for online registration and collection of fees. A more efficient process with the cost to come from the Recreation Committee budget and increased fees. Mr. Hara sent copy of contract to the Attorney for review. After discussion, Mr. Hara will look at two other vendors. Mr. Hara would like to target the end of the year to pay initial setup fees from this year’s budget.

7. REPORTS RECEIVED

- a. Dept of Roads & Facilities – Week Ending 9/14/12; 9/21/12. Ms. McBride thanked DR&F for the parking lot striping and the installation of the security camera in the recycling area.
 - b. Tax Collector – September 2012
 - c. Zoning Report – September 2012
 - d. Engineer’s Report
- Hoffman Park Phase I processing the final payment voucher.
 - Phase II Hoffman, have removed the asbestos with the exception of the material associated with one of the chimney flues in the Hoffman House and we have to wait for the building demo to start. We obtained all of the documentation from the Health Dept. for Yanuzzi, the demolition contractor, and they are applying for the permit. The well has been sealed.
 - The chip and seal program is completed. The final invoice came in about \$82,000.00 under what was budgeted.
 - DOT Application due to be filed October 16th. The resolutions needed to authorize filing need to be acted on tonight. The Committee members received two packages with the details.

ITEM ADDED TO AGENDA

**TOWNSHIP OF UNION
RESOLUTION #2012-124**

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Perryville Road Section 2A Improvement Project.

WHEREAS, Perryville Road Section 2A is in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Township of Union Engineer, has prepared a cost estimate for improvements to this road.

NOW, THEREFORE, BE IT RESOLVED by the Union Township Committee that the grant application for the above stated project is formally approved.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Union Township-00424 to the New Jersey Department of Transportation on behalf of Township of Union.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Union and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Roll Call 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 instruct the Engineer to request funds in connection with Section 2A in the amount of \$210,000.00.

Roll Call 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

OUT OF AGENDA ORDER

TOWNSHIP OF UNION

RESOLUTION #2012-125

RESOLUTION: Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Perryville Road Section 4 Improvement Project.

WHEREAS, Perryville Road Section 4 is in need of Improvement

WHEREAS, Robert J. Clerico, P.E., Township of Union Engineer, has prepared a cost estimate for improvements to this road.

NOW, THEREFORE, BE IT RESOLVED by the Union Township Committee that the grant application for the above stated project is formally approved.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2013-Union Township-00425 to the New Jersey Department of Transportation on behalf of Township of Union.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Union and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approved the execution of the grant agreement.

Roll Call 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 instruct the CFO to give direction to the Engineer to request funds in connection with Section 4.

Roll Call 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

RETURN TO AGENDA ORDER

- The Race Street Stream Embankment. Administrative Order from NJ DEP; projects which suffered under Hurricane Irene which qualify for this program do not no need to file any permits. Filing deadline is December 16th.

Motion: To authorize the Engineer to begin the work needed on 1A and 1B to get these approvals as described in the Engineer’s memo of Oct. 3rd. NJ DEP Administrative Directive 20-12-09.

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

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

OUT OF AGENDA ORDER

Committee Reports

Mr. Mazza reported the following:

- I-78, exit 12 eastbound where trucks park. Garbage is being thrown around. Is there someone we can call to report. The ramp belongs to the State.

RETURN TO AGENDA ORDER

Mr. Mazza mentioned the following correspondence: None

Mr. Hirt mentioned the following correspondence: None

Ms. McBride mentioned the following correspondence:

- Item for Executive Session.

Mr. Bischoff mentioned the following correspondence:

- NJ DEP re: Green Acres Project Number 1025-02-075. Received \$325,000.00 application for Green Acres matching grant.

9. PUBLIC COMMENTS

- Frank Castellano – Race Street, Jutland. I would like to thank the Committee for all the help and concern. One of the remaining buildings at Hoffman Park the sheets of plywood have been removed. Request DR&F to re-secure the building.

10. OLD BUSINESS

- a. **RESOLUTION #2012** – Liquor License Renewal – Apalo Inc. t/a Perryville Inn. Tabled and at the request of the Mayor remove from future agendas.

11. PUBLIC HEARING

ORDINANCE #2012-16

AN ORDINANCE APPROPRIATING THE SUM OF \$7,500.00 CURRENTLY LOCATED WITHIN THE CAPITAL IMPROVEMENT FUND OF THE GENERAL CAPITAL FUNDS OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY FOR THE EXTERIOR PAINTING OF THE MUNICIPAL BUILDING

To Open

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

Motion carried by unanimous voice vote

To Close

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

Motion carried by unanimous voice vote

To Adopt

Roll Call 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

12. NEW ORDINANCE – 1ST Reading

13. NEW BUSINESS

a. The following resolution was introduced for adoption:

RESOLUTION #2012-126

**UNION TOWNSHIP; HUNTERDON COUNTY
NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS)**

WHEREAS, in Homeland Security Presidential Directive (HSPD) 5, the President directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and Local governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the 9-11 Commission recommended adoption of a standardized Incident Command System; and

WHEREAS, it is necessary that all Federal, State, and Local emergency management agencies and other public safety agencies coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and Local organizations utilize standard terminology, standardized organizational structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the ability to utilize State and Federal funding to enhance County and Local agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, County, and Local Municipalities, including all public safety and emergency response organizations training programs; and

WHEREAS, over fifty Federal grant programs mandate that NIMS be adopted as a prerequisite for obtaining these grants;

NOW, THEREFORE, BE IT RESOLVED, that the Union Township Committee of the County of Hunterdon hereby mandates that the National Incident Management System (NIMS) be utilized for all incident management in the Township of Union; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

Roll Call 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

b. The following resolution was introduced for adoption:

RESOLUTION #2012-127

UNION TOWNSHIP, HUNTERDON COUNTY

ESTABLISHING AND DECLARING A JUVENILE CURFEW IN THE TOWNSHIP OF UNION

WHEREAS, P.L. 1992, Chapter 132 (N.J.S.A. 40:48-2.52 et seq.) authorizes and empowers a municipality to enact an ordinance making it unlawful for a juvenile of any age under 18 years within the discretion of the municipality to be on any public street or in a public place between the hours of 10:00 p.m. and 6:00 a.m. unless accompanied by the juvenile’s parent or guardian, or unless engaged in, or traveling from, a business or activity which the laws of this State authorize a juvenile to perform and making it unlawful for any parent or guardian to allow an unaccompanied juvenile to be on any public street or in any public place during those hours; and

WHEREAS, the Township Committee of the Township of Union on October 6, 1993, adopted on final reading “An Ordinance to Provide for the Establishment of a Curfew for Juveniles in the Township of Union and Providing Penalties for the Violation thereof”; and

WHEREAS, said Ordinance provides that whenever the Governing Body shall determine the need for a curfew for juveniles, the Governing Body may by resolution declare a curfew in the municipality for a period of not more than 90 days and for such hours and under such conditions as may be prescribed by the Township Committee, provided that such curfew shall commence not earlier than 10:00 p.m. and shall end not later than 6:00 a.m. during each of the curfew dates established;

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

- 1. Establishment of Juvenile Curfew. A juvenile curfew is hereby established and declared in the Township of Union commencing at 10:00 p.m. and ending at 6:00 a.m. of the following day, during each of the following curfew dates:

Tuesday, October 30, 2012
Wednesday, October 31, 2012; Trick or Treat Hours 12:00 p.m. to 9:00 p.m.

- 2. Condition of Curfew. During the curfew established herein, it shall be unlawful for any juvenile under the age of 18 years to be on any public street, or in a public place, either on foot or in a vehicle, within the Township of Union during the above designated times.
- 3. Exception to Curfew. The above-established curfew shall not apply to a juvenile:
 - a) When the juvenile is engaged in an errand involving a medical emergency;
 - b) When the juvenile is in attendance at an extra-curricular school activity, or an activity sponsored by a religious or community-based organization, or other cultural, educational, or social events;
 - c) When work time of the juvenile who is gainfully and lawfully employed overlaps the curfew hours.
 - d) When the juvenile is an attendant as a bona fide student at an evening school of institution.
 - e) When the juvenile is accompanied by a parent or guardian or other adult having the care and custody of the juvenile.
 - f) When the juvenile is on an emergency errand or legitimate business directed by the juvenile’s parent/guardian.
- 4. Responsibility of Parent or Guardian. During the curfew herein established, it shall be unlawful for any parent or guardian of a juvenile to allow an unaccompanied juvenile to be on a public street or in any public place in violation of the above-referenced Ordinance and the curfew established hereunder.

- 5. Posting, Publication and Distribution of Curfew Notice. Copies of this Resolution shall be posted in such public or quasi-public places as may be designated by the Township Committee and may be published in such newspapers as the Township Committee shall designate. Copies shall also be supplied to area schools with a request that they make students aware of the curfew. Failure to post, publish or distribute this Resolution shall not relieve any person from the obligation of complying with the terms of the curfew imposed hereunder.
- 6. Notification to Law Enforcement Agencies. Certified copies of this Resolution and the above-referenced Ordinance shall be sent by the Municipal Clerk to law enforcement agencies, including the Municipal Police Department, if any, and the New Jersey State Police.

Roll Call 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

- c. **Motion to Approve:** Request for putting barricades in the Brass Castle neighborhood on Halloween

Acted upon earlier in meeting.

- d. The following resolution was introduced for adoption:

**RESOLUTION #2012 – 125
TOWNSHIP OF UNION, HUNTERDON COUNTY
APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH
NJ DOT FOR THE PERRYVILLE SECTION 4 IMPROVEMENT PROJECT.**

Acted upon earlier in meeting.

14. REPORTS

a. **Attorney’s Report**

- Letter of dissolution of the North Hunterdon Municipal Court. Terry Wright, Hunterdon County Democrat Reporter offered to take a quick look at Democrat archives for when the Township entered and exited the NHMC.
- Executive Session, contract negotiations.

b. **Mayor’s Report**

- Quote “..... that government should help people improve their lives, not try to run their lives.” President Bush at the Republican National Convention, Sept. 2, 2004.
- A memo from Grace Brennan re: Volunteer/Employee Appreciation Dinner, consensus to proceed with planning.
- UTEC Chairman resigned. Need a replacement by end of year for the UTEC Chair. Look for recommendations.

- Highlands – Mr. Balzano responded to the letter from Highlands. Copy of the letter will be forwarded to the members of the UT Highlands Sub-Committee. A meeting will be scheduled to discuss the letter and make necessary adjustments before final copy is send to the Highlands Council.
- Assembly Bill 2536 exempting private colleges from building permits. We have already voiced our opposition to the Bill.
- Hunterdon fourth richest county in US.
- Newsletter from Assemblyman DeMaio. Clerk to make copies for the Committee.
- Community Forestry NJ Shade Tree Federation. Give it to UTEC.

c. Committee Reports

Mr. Mazza reported the following: None

Mr. Hirt reported the following:

- Estimates to replace damaged slates in front of the municipal building.
- Wire fence was replaced by the State along Frontage Road. The old wires were left in piles on road. This is a safety hazard.

Mr. Bischoff reported the following:

- November is National Preparedness Month. Mr. Hirt has this covered.

Ms. McBride reported the following:

- Monday we had a police action and a helicopter flying over Spruce Run Reservoir area from about 10:00 pm until 2:00 am. Inquiries to the State Police resulted in no specific information. The Mayor was able to find out what the action was and that it was under control. I would like to know if we could have a protocol that gives access to someone who could provide information.
- Shared services meeting tomorrow, I will attend.
- Requested DR&F to replace a sign that is worn out at Finn Road Park.
- Should be thinking about part time snow plow drivers for the upcoming winter.
- Issue for Executive Session.

Mayor asked Mr. Hirt about the energy auction. Mr. Hirt has information that he will discuss with the CFO.

Clerk's Report

- Free Rabies Clinic – November 17, 2012; 8-10 am at the Union Township Garage.

15. PUBLIC COMMENTS

- Dan Von Fossen, Fire Chief announced the passing of two of the founding members of the Pattenburg Fire Company, Doug Van Camp and John Spencer. They Pattenburg Volunteer Fire Company was established in 1954.

16. PAYMENT 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.

Roll Call 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

11. EXECUTIVE SESSION – Personnel and Contract Negotiations

**RESOLUTION #2012-128
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:

_____ *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 require 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 October 3, 2012, at 8:44 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.

8:44 pm go into executive session

Roll Call 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

At about 9:01 pm the Committee reconvened into regular session

Roll Call 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

Motion: Authorize the Mayor to negotiate with Transco regarding the compensation to be paid for assembly work space and other issues associated therewith consistent with the discussions held in Executive Session concerning these negotiations.

Roll Call 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

12. 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 9:02 p.m.

Respectfully submitted,

Ella M. Ruta, RMC

William F. Bischoff, Mayor

Prepared by: Pat Essig, Administrative Assistant