

MINUTES OF REGULAR MEETING January 2, 2013

1. CALL TO ORDER

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	Absent
Mr. Severino	X	
Mr. Mazza	X	
Mr. Hirt	X	
Ms. McBride	X	
Mr. Bischoff	X	

5. APPROVAL OF PRIOR MEETING MINUTES

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

Mr. Severino had a correction to the Regular Meeting Minutes on page 13 of his report, third item, second sentence should read “ Will hold off until beginning of 2013 although funds allocated in 2012”.

Roll Call 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 as corrected.

Motion to approve the Minutes of the December 19, 2012 Executive Session.

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

Motion carried

6. VISITORS - None

7. REPORTS RECEIVED

- a. Dept. of Roads & Facilities- Week Ending 12/14/12; 12/21/12
- b. Engineer’s Report - None

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Frank Mazza reported the following correspondence:

- NJ DEP re: Permit – Proposed Reconstruction of Culvert U-18, Race Street. Approval with minor road crossings.

Matt Severino reported the following correspondence:

- Race St. Bridge, do we have a schedule from the County? Mr. Mazza will talk to the Engineer next meeting and have him contact the County for a work schedule so we can let the residents know.

Mr. Bischoff reported the following correspondence:

- NJLM re: Sample Resolution Supporting Direct Payment of Energy Taxes to Municipal Govts. Should be adopt as written by the NJLM. The Mayor agreed.
- NJLM re: 21st Annual Mayor's Legislative Day on February 6, 2013. The Mayor should attend.
- Div. of Planning Services re: Municipal grant Program, Milligan Farm Allocation-Application. The CFO and Deputy Clerk handled the check and associated paperwork.
- Davis Wright Tremaine LLP Re: Protective Order – Comcast. The Attorney will send a memo to the Committee.
- UGV Condominium Owner's Assoc. Re: Municipal Services Agreement. Pass to Jay Thatcher, our alternate attorney, for review.

Ms. McBride reported the following correspondence:

- Raritan Headwaters Assn. Re: 23rd Annual Stream Cleanup. There is a \$300.00 fee. The Mayor commented that all of the Clean Communities Money is gone, however the Township would like to participate. Committee to take under advisement.

9. PUBLIC COMMENTS**10. OLD BUSINESS****11. NEW ORDINANCE – 1ST READING****TOWNSHIP OF UNION
COUNTY OF HUNTERDON****NOTICE OF INTRODUCTION OF ORDINANCE**

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 2nd day of January, 2013. The Ordinance was then ordered to be published according to law. Notice is hereby given that said Ordinance will be considered for final passage at a public hearing to be held on the 6 day of February 2013, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Rd., Jutland, NJ at which time all interested parties will be heard.

Ella M. Ruta, Municipal Clerk

ORDINANCE NO. 2013-1

**AN ORDINANCE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY
APPROVING THE CESSATION OF THE REGULAR MUNICIPAL
COURT CASE FUNCTIONS OF THE NORTH HUNTERDON MUNICIPAL COURT
AND APPROVING THE SHARED SERVICES AGREEMENT TO PROVIDE FOR THE
STORAGE, SECURITY AND ADMINISTRATION OF THE MUNICIPAL COURT OF
NORTH HUNTERDON'S CASE FILES AND RECORDS AND THE CONTINUATION
OF BUSINESS AS REQUIRED AFTER CESSATION OF REGULAR MUNICIPAL
COURT CASE FUNCTIONS**

WHEREAS, the Municipal Court of North Hunterdon, 1322 Route 31 North, Suite 23, Annandale, New Jersey 08801, (hereinafter referred to as "**MCNH**"), will cease accepting new matters occurring after December 31, 2012 and will cease the active scheduling and trial of cases as of February 28, 2013; and,

WHEREAS, it is necessary to provide for the storage, security, servicing and administering of MCNH case files and records and for the continuation of MCNH business, as required, after the cessation of scheduling and adjudication of active cases; and,

WHEREAS, the Township of Clinton, (hereinafter referred to as "**Custodian Town**"), is in the position to store, service and administer the MCNH's case files and records and to continue MCNH's business, as required as of March 1, 2013 and as set forth in Appendix "A", attached; and,

WHEREAS, the Town of Clinton, Townships of Franklin, Lebanon, Tewksbury and Union, and the Boroughs of Glen Gardner, High Bridge, Bloomsbury, Califon Hampton and Lebanon, desire to establish a Shared Services Agreement for the administrative and financial terms by which the Custodian Town will assume the obligations of the MCNH as of March 1, 2013; and,

WHEREAS, the Shared Services Agreement shall be governed by the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq.,

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, as follows:

1. The MCNH will cease accepting new matters occurring after December 31, 2012.
2. The MCNH will cease the scheduling and adjudication of all matters after February 28, 2013. Between January 1, 2013 and February 28, 2013, the MCNH will continue to process and adjudicate its existing caseload which was generated prior to January 1, 2013, at its current court facility located at 1322 Route 31 North, Suite 23, Annandale, New Jersey 08801.
3. The storage, security, servicing and administering of all MCNH case files and records and the continuation of all other MCHN business shall be addressed pursuant to a Shared Services Agreement with the Township of Clinton, Hunterdon County, New Jersey, assuming the responsibility for all MCHN case files, records and business.
4. Subject to the approval and by Order of the New Jersey Superior Court, Vicinage 13 Assignment Judge, as of March 1, 2013, the MCNH will be located at and administered by the Clinton Township Municipal Court.

5. The Shared Services Agreement provides for the storage, security and administration of the Municipal Court of North Hunterdon’s case files and records and the continuation of business, as required after cessation of actual municipal court functions is hereby approved.

6. The Mayor and Municipal Clerk are hereby authorized to execute the agreement on behalf of the Township of Union and to execute any further documents and to take any further action to accomplish the purpose of the Agreement.

7. The Municipal Clerk shall forward two executed copies of the Agreement and a certified true copy of this Ordinance to John R. Lanza, Esquire, 5 Main Street, P.O. Box 2520, Flemington, New Jersey 08822.

8. The Municipal Clerk shall maintain a true copy of the fully executed agreement with the records of her office, for inspection, during normal business hours.

9. The Ordinance shall be effective immediately to meet the MCNH’s timetable for the orderly transfer of its files, records and business.

Michele McBride, Mayor

Attest:

Ella M. Ruta, Municipal Clerk

First Reading: January 2, 2013
Publication: January 10, 2013
Final Reading: February 6, 2013
Published by Title: February 14, 2013

APPENDIX A –

Responsibilities to be performed by Clinton Township Municipal Court on behalf of the Municipal Court of North Hunterdon:

The following list is not exhaustive, but merely illustrative of the responsibilities to be performed by the Clinton Township Municipal Court on behalf of the Municipal Court of North Hunterdon.

- Notify - via memo and publication - law enforcement, members of the bar, public, Law Journal, Lawyers Diary, county directories, etc., that the Municipal Court of North Hunterdon is being operated by the Clinton Township Municipal Court as of March 1, 2013 – including address and phone number.
- Store and maintain court files and administrative records in locked filing cabinets or in a secure room that has access by court staff only.
- Schedule cases, manage case flow and adjudicate matters accordingly.
- Run, order and process all daily, weekly and monthly Page Center and Reports on Demand reports. This includes but is not limited to notices of delinquent time payments and proposed suspensions.
- Process other reports which include executed warrants, expungements, cases eligible for dismissal (parking) and cases on appeal reports.
- Request Failures to Appear, as appropriate.
- Request Driver License Suspensions, as appropriate.

- Issue warrants, appropriate.
- Accept payments in person, by mail, phone or web; this includes credit card payments.
- On a daily basis, balance out daily financial intake; print daily journal report & attach to bank deposit slips.
- Run and process cashbook and all related reports for financial account reconciliation on a monthly basis. This includes processing disbursements, overpayments, restitution, uncashed checks, and miscellaneous bank fees.
- On a monthly basis, balance and reconcile both general and bail accounts.
- Upon receipt of payment, notify defendant of new address for any future payments submitted.
- Backload pre-ATS/ACS tickets/complaints into ATS/ACS system when old case is re-opened.
- Process conditional discharge notices received from Probation Department.
- Process cases returned from Prosecutor’s Office accordingly. Maintain all prior and recent reports and other court records in accordance with the retention schedule.
- Complete Judiciary records retention and destruction list accordingly.
- Follow expungement procedures accordingly.
- Perform any and all other duties and responsibilities as required to effectively and efficiently run a municipal court in Vicinage 13 of the State of New Jersey.

Due to the length of time since the inception of the Municipal Court of North Hunterdon, there are thousands of cases that will continue to need administration and/or adjudication. They include, but are not limited to: active cases in inventory that must be scheduled and adjudicated; adjudicated cases in time payment status; closed, but non-adjudicated, cases where the court has issued a warrant for the defendant’s arrest; closed, but non-adjudicated, cases where the court has requested that the defendant’s driver license be suspended by the Motor Vehicle Commission; fully adjudicated cases awaiting the lapse of a certain time period and Judiciary authorization for destruction or appropriate records retention; cases pending conditional discharge; cases pending Pre-Sentence Investigations; cases pending Probation review; cases sent to mediation that were neither settled nor adjudicated; and all other cases that need processing and were generated in the jurisdictions of the Municipal Court of North Hunterdon prior to January 1, 2013.

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

12. NEW BUSINESS

a. Following Resolution introduced for adoption:

Resolution #2013-20
Union Township Hunterdon County

Salary Resolution for OEM Coordinator

WHEREAS, Thomas Cannan was appointed to the position of Emergency Managements Coordinator: and

WHEREAS, the salary for Emergency Management Coordinator for the year shall be \$5,516.00

NOW, THEREFORE BE IT RESOLVED that Thomas Cannan shall be paid a salary of \$5,516.00 for the year 2013 and the CFO is authorized to pay out this salary as is customary with all salaries.

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

Motion Carried

b. **Motion to Approve** – Dates for 2013 Regular Union Township Committee Meetings

NOTICE OF 2013 MEETING DATES OF THE UNION TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION

January 2, 2013– Re-Organization Meeting

- | | |
|-----------------|------------------|
| January 2 & 16 | July 17 |
| February 6 & 20 | August 7 |
| March 6 & 20 | September 4 & 18 |
| April 3 & 17 | October 2 & 16 |
| May 1 & 15 | November 6 |
| June 5 & 19 | December 4 & 18 |

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

c. **Motion to Approve** – Application for Special permit for Social Affair

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			

13. REPORTS

a. **Attorney’s Report – None**

b. **Mayor’s Report**

- Budget Trial Balance from the CFO will be in the Committee member packet for the first meeting each month. This will allow us to look at every line item to determine where we are. Grace Brennan and Bob Swisher will be meeting tomorrow to discuss budget meetings. Committee discussed and decided to hold future budget meetings at 6:00 pm before the scheduled Committee Meetings. First budget meeting will be at 6:00 p.m. on Wednesday, February 6, 2013.
- Putting together a meeting requested by members of the community who were interested about JCP&L response to Sandy and also as a second topic also Union Township’s response to Sandy. Put list together of 6 residents who reached out to me. I will facilitate the meeting.
- We had scheduled a meeting between Pilot, the DOT and Union Township for January 8th to discuss potential modifications to traffic flow and that meeting has been cancelled by DOT and will be rescheduled.
- Facebook. Will make a draft page for the Committee to review.
- Two items for Executive Session for contract negotiations.
- Wanted to show you the seal for the recently merged towns of Princeton Township and Princeton Borough. I like its’ simplicity. Discussion of a seal for Union Township to use on letterhead and website.

c. **Committee Report**

Mr. Hirt reported the following: None

Mr. Severino reported the following:

- Quotes for the replacement of the heat pump air handler: Schaible’s Mechanical \$10,585.00; Warren Heating and Cooling, LLC \$7,150.00; First Class Comfort Systems \$6,485.00. After review, Mr. Severino recommended that the job be awarded to First Class Class Comfort Systems.

Roll Call 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 subject to certification of funds by the CFO.

- Mentioned merging mini dump and recycling centers. I will come up with some ideas and bring them to the next meeting.
- Also presented a check received for recycling of metals at our metal dumpster

Mr. Bischoff reported the following:

- Quote “If you have always believed that everyone should play by the same rules and be judged by the same standards, that would have gotten you labeled a radical 60 years ago, a liberal 30 years ago and a racist today.” Thomas Sewell.
- Gave an update and status of upcoming meetings and will continue to keep the Committee updated.

Mr. Mazza reported the following:

- The Old Municipal Building and Garage, gave some ideas of what work needs to be done and budgeted for next year.
- Jake Porter's Scout project he started last year had some problems and did damage to wet ground, which he wants to pay for. Mr. Mazza will have the DR&F fix the ruts, etc. No need to for him to pay out of pocket
- Hot water heater at Pavilion was removed and brought to garage because it didn't have a drain. Will make a permanent solution when it is reconnected.
- Pole sheared off at Race St. and Milligan Farm and we reported it to JCP&L. Mr. Severino relayed that it is very difficult to find the phone number to report a downed power line.

d. **Clerk's Report – None**

14. **PUBLIC COMMENTS - None**

15. **PAYMENTS OF BILLS - None**

16. **EXECUTIVE SESSION, Three items all contract negotiations**

RESOLUTION 2013-21

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 require in order for the attorney to exercise his ethical duties as a lawyer.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union assembled in public session on January 2, 2013, at 8:20 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.

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

To come out – 8:30 p.m.

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

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

Meeting adjourned at approximately 8:31 p.m.

Respectfully submitted,

Patricia Essig, Deputy Township Clerk

Michele McBride, Mayor