

**1. CALL TO ORDER**

Mayor McBride called the meeting to order at 7:00 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	Absent
Mr. Severino	X	
Mr. Mazza	X	
Mr. Hirt	X	
Ms. McBride	X	
Mr. Bischoff	X	

Also present: J.P. Jost, Attorney, Robert Clerico, P.E. and Ella M. Ruta, Twp. Clerk

**5. APPROVAL OF PRIOR MEETING MINUTES**

- a. Re-organization Meeting of January 7, 2014; Regular and Executive Session Meeting Minutes of January 7, 2014.

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			

Motion carried

**6. VISITORS**

- a. Dr. Steve Souza from Princeton Hydro – 319 Grant

Dr. Souza gave an overview of the 319 Grant and its uses i.e., remove storm water pollutants on publicly owned lands before they reach the streams, ponds or lakes. We have identified Finn Road Park and the Municipal Building as our two project areas.

Claudia Rocca – UTEC asked questions.

**Motion:** To proceed with the project

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

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Mr. Bischoff			X			
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Motion carried

- b. Kathy Hale – NJ Water Supply Authority (319 Grant) – Reviewed Mulhockoway Creek restoration plan status. Looking at two new projects for 2014; a detention basin retrofit in the Country Acres development and work at the middle school on Perryville Road.

**Motion: To proceed with the Grant Petition**

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

- c. Walt Dorf – Clinton Fire Dept.

Reported responses to fire calls. Thanks to Mayor for help at Union Hill fire.

- d. Dan Van Fossen – Pattenburg Volunteer Fire Dept.

**7. REPORTS RECEIVED**

- a. Dept. of Roads & Facilities- Week Ending 1/04/14; 1/11/14
- b. Municipal Court – December 2013
- c. Animal Control Officer – December 2013
- d. Engineer’s Report
  - Guide rail project on Race St., the guide rail ordered.
  - The old municipal building, I am working with the contractor on some issues.
  - Water problem - On January 9<sup>th</sup> met with Bruce Hirt here at the Municipal Building and summarized what we found, what we think and recommendations.

**Motion: To authorize using camera equipment to survey our building at a cost not to exceed \$2500.00.**

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			

Motion carried

- I met with Elizabethtown Gas people on the installation along Race St. They will be doing it through a tunneling method.
- I met with Frank Mazza and Bruce Hirt at Partridge Run and looked at the older section of Country Acres. I will have something for the next meeting.
- Mr. Mazza, Mr. Hirt and Mr. Herman and I looked at Cooks Cross Road, will report specifics at next meeting.

**8. CORRESPONDENCE / WRITTEN COMMUNICATIONS**

Mr. Hirt reported the following correspondence: None

Mr. Severino reported the following correspondence:

- NJLM Re: Notice from the New Jersey Office of Homeland Security. They are requesting to be notified at a specific website of any large gatherings in any municipality. Something to keep in mind for the future.

Mr. Mazza reported the following correspondence:

- Office of the HC Engineer Re: Municipal Participation – Surface Treatment Program 2014.

Ms. McBride reported the following correspondence:

- Hank Lewis, LFP Holdings, LLC Re: Block 15, Lot 20, Highlands Applicability Determination Application. Mayor asked Mr. Bischoff to review the file in the Clerk’s Office.

Mr. Bischoff reported the following correspondence: None

**9. PUBLIC COMMENTS**

Karen Sferra, 36 Cooks Cross Road – Storm water erosion on the property. The Mayor said the Engineer would look at it and find if there are any potential easements.

Kevin Sferra, 36 Cooks Cross Road – Continued the description of the water erosion problem. Committee asked questions and discussion followed.

**OUT OF AGENDA ORDER**

Brian Walsh, NJ State Trooper. I addressed Mr. Jost concerning information that he requested. I ran a report from December 1<sup>st</sup> thru January 15<sup>th</sup> that I will email to the Committee.

**RETURNED TO AGENDA ORDER**

**10. PUBLIC HEARING**

**11. OLD BUSINESS**

**12. NEW ORDINANCE – 1<sup>ST</sup> Reading**

**13. NEW BUSINESS**

- a. The following resolution was introduced for adoption:

**RESOLUTION #2014-23**

**UNION TOWNSHIP, HUNTERDON COUNTY**

**AUTHORIZING CONTRACT FOR LEGAL SERVICES/PLANNING BOARD 2014**

**Woolson Sutphen Anderson/Mark S. Anderson, Esq.**

WHEREAS, the Township of Union has a need to acquire legal services for the Planning Board/Board of Adjustment as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and WHEREAS, the maximum amount of the contract may exceed the threshold amount established pursuant to N.J.S.A.40A:11-3(b); and

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WHEREAS, funds are available; and

WHEREAS, MARK S. ANDERSON, Esq. has submitted a proposal indicating the fee of \$150.00 per hour for his services; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection;

WHEREAS, MARK S. ANDERSON, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that MARK S. ANDERSON, Esq. has not made any reportable contributions to a political candidate or committee in the Township of Union in the previous one year, and that the contract will prohibit MARK S. ANDERSON, Esq. from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Union, Hunterdon County, New Jersey, as follows:

1. The Mayor and Township Clerk are hereby authorized and directed to execute the attached agreement with Mark S. Anderson, Esq., for legal services/Planning Board for 2014.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1) (a) of the Local Public Contracts Law.
3. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the 2014 temporary and permanent Municipal budgets.
4. A Notice of this action shall be printed once in the official newspaper.

Date: January 15, 214

**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 in the 2014 Temporary/Adopted Budget to award a contract to Mark S. Anderson, Esq., under the line item "\_\_\_\_\_".

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

Grace M. Brennan, CFO

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

Motion carried subject to Attorney review.

b. The following resolution was introduced for adoption:

**RESOLUTION #2014-24**

**UNION TOWNSHIP, HUNTERDON COUNTY**

**APPOINTMENT – EMERGENCY MANAGEMENT COORDINATOR**

WHEREAS, the Township of Union is currently in need of an Emergency Management Coordinator; and

WHEREAS, Glenn Roth is qualified for this position;

**NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union to appoint Glenn Roth to the position of Emergency Management Coordinator for a 3-year term beginning on January 1, 2014 and ending December 31, 2016.**

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

Motion carried

c. The following resolution was introduced for adoption:

**RESOLUTION #2014-25**

**TOWNSHIP OF UNION, HUNTERDON COUNTY**

**RESOLUTION TO REFUND DELINQUENT WATER CHARGES COLLECTED AT TAX SALE TO THE TOWN OF CLINTON**

WHEREAS, Block 22 Lot 32.18 assessed to Egemba, Ian & Rosemary had a delinquent water bill in the amount of \$ 252.03,

WHEREAS, Block 24.02 Lot 2.01 Qualifier C0403 assessed to Dremers, Michael had a delinquent water bill in the amount of \$ 538.35,

WHEREAS, tax sale certificates were sold at the 2013 Tax Lien Sale that included the above delinquent water charges in the amount of \$790.38,

WHEREAS, the above-mentioned tax sale certificates was bought by a third party,

NOW, THEREFORE, BE IT RESOLVED on this 15th day of January by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. The Treasurer issue a check in the amount of \$ 790.38 payable to Town of Clinton Water Utility, 43 Leigh Street, P.O. Box 5194, Clinton, NJ 08809.
2. That this resolution shall take effect immediately upon adoption.

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

Motion carried

- d. **Motion to approve and authorize the Mayor to sign** - Finn Road Park – 2013 Open Space Agricultural Lease.

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

- e. **Discussion** – Request by a Township Resident for a Speed Bump on Gravel Hill Road.

Frank Mazza received phone call from resident who requested the Township to put in a portable speed bump. Committee discussed and Mr. Mazza will notify resident that the matter is being looked at.

**14. REPORTS**

**a. Attorney’s Report**

- I have prepared a draft resolution appointing a temporary purchasing agent to replace our purchasing agent Amy Barkman who we had an inter-local agreement with the school and they were providing us with Ms. Barkman’s services and Trenton does not permit that anymore. This will be on next meeting agenda.
- Pilot – The Mayor asked me to contact Pilot’s attorney to set up another meeting. Pilot has requested that the prior Cinnabon products placement in the Pilot store request be re-looked at.
- I am working on Fire Dept. Ordinance modifications.

**b. Committee Report**

Mr. Hirt reported the following:

- Community Day September 27<sup>th</sup>, rain date 28<sup>th</sup>.

**Motion:** Move forward with the intent to have a Community Day on September 27<sup>th</sup>, subject to the determination as to the amount of funding by the Township.

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

Motion carried by unanimous voice vote

The Mayor mentioned the agricultural lease for the Milligan property that the Matthews work for us. Asked Mr. Hirt to go out with Mr. Neary of UTEC to work on that as part of an open space project.

Mr. Severino reported the following: None

Mr. Mazza reported the following:

- Roads – Mr. Hirt, the engineer and I looked at the roads and their condition to keep in mind as we move forward with our budget.
- Municipal building water problem - Del Val Septic on Rt. 173 has a camera for septic that can possibly be used to go into the pipes if we decide to move forward and price it out from Del Val.

Mr. Bischoff reported the following:

- “The most difficult subjects can be explained with the most slow-witted man if he has not formed any idea of them already; but the simplest thing cannot be made clear to the most intelligent man if he is firmly persuaded he knows already without a shadow of a doubt what is laid before him.” Leonard Tolstoy 1897.
- The court issue is improving. I have received one piece of documentation and am waiting for the second piece. Once we have that we can analyze it and develop a strategy for moving forward.
- Shared an email from grandson in Connecticut who knows of my interest in politics. He sent me an email in support of Governor Christie that I sent to the Governor.
- 300<sup>th</sup> year celebration of the birth of Hunterdon County. Our school is working diligently to have the boys and girls in 8<sup>th</sup> grade history class to put together a published brochure about the history of Union Township as our contribution to the anniversary. The Township will underwrite the cash award for the winning essayist. Proclamation signed by the Governor for the recipient.

**c. Mayor’s Report**

- Meeting tomorrow with the Clinton Water Department to review Highlands Council Water Conservation Program.
- Mr. Bischoff and I have an interview with potential Deputy Tax Collector on Friday.
- I will also be meeting on Friday with UT Schools Superintendent Bender and the Watershed Authority as Kathy Hale mentioned earlier to talk about the 319 Grant portion that would be on property as administered.
- I was invited by the President of the Board of Education to attend their meeting on January 27<sup>th</sup>
- We completed the RFP for the Geologist and Hydrogeologist and is going into tomorrow’s paper and is on the website now.
- A resident criticized the quality of snow plowing at Village Square and we found there appeared to be some overnight parking even though there are “no parking” signs. This will be addressed on our website.

**d. Clerk’s Report**

- NJ State Fireman’s Association Membership Application

Motion: To approve the two applications for NJ State Fireman’s Association Membership

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza	X		X			

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Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

- Budget meetings for February and March, 4 meetings.

**15. PUBLIC COMMENTS**

- Karen Wisnosky, 710 Deerfield Road. Issue with snowplowing complaint process.

**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 paid and that all checks listed hereinafter 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			
Mr. Bischoff	X		X			

Motion carried

**17. EXECUTIVE SESSION – Contract Negotiations**

The following Resolution introduced for adoption:

**RESOLUTION #2014 - 26**

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 Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. \_\_\_\_\_Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. \_\_\_\_\_Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense,

welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program , including but not limited to information relative to the individual’s personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.

4. \_\_\_\_\_Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.

5. \_\_\_\_\_Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.

6. \_\_\_\_\_Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.

7. X 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.

8. \_\_\_\_\_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.

9. \_\_\_\_\_Matters Relating to the Potential Imposition of a Penalty: Any deliberations of a public body occurring after a public hearing that may result in the imposition of a specific civil penalty upon the responding party or the suspension or loss of a license or permit belonging to the responding party bears responsibility.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in public session on January 15, 2014 at 9:26 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			
Mr. Mazza		X	X			
Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

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Motion to come out of Executive Session at about 9:33 p.m.

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

Motion carried

18. **ADJOURNMENT** – There being no further business to come before the Township Committee at this time Mr. Severino made a motion to adjourn the meeting at 9:33 p.m. Mr. Mazza seconded the motion. Motion carried by unanimous favorable roll call vote.

Prepared by: Patricia Essig, Deputy Clerk

Michele McBride, Mayor