

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 | |

Other present: J.P. Jost, Attorney, Robert Clerico, P.E., Grace Brennan, CFO and Ella M. Ruta, Municipal Clerk

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of September 17, 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

Kevin Niederauer from Aflac (America Family Life Insurance Company) made a presentation about supplemental health insurance to individuals and families.

7. REPORTS RECEIVED – acknowledged

- a. Road Dept.- Week Ending: 9/12/14; 9/19/14
- b. Engineer's Report –
 - Municipal Building Foundation Drainage Project – will have information on the cost of the project for the next meeting.
 - Cooks Cross Rd. Improvements – completed.
 - Perryville Road Sec. 2A – finalizing and closing documentation with NJDOT.
 - Municipal Discretionary Aid Application – no update. Have not heard anything yet from the State.
 - Board of Health Matter for discussion at the Board of Health meeting.

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS**9. Mr. Severino mentioned the following correspondence:**

- Governor Conditionally Vetoes Suspension of 2.5% Non-Residential Development

Mr. Bischoff mentioned the following correspondence:

- Transportation Trust Fund
- Sustainable Jersey Announces Availability of \$150,000 in Grants for Municipal Sustainable Energy Projects

10. PUBLIC COMMENTS – none at this time**11. PUBLIC HEARING****NOTICE**

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 1st day of October, 2014. 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 5th day of November, 2014, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

Ella M. Ruta, RMC
Municipal Clerk

DRAFT – 9-23-14

ORDINANCE #2014-12

**AN ORDINANCE AMENDING THE CODE
OF THE TOWNSHIP OF UNION,
HUNTERDON COUNTY, NEW JERSEY
REGARDING EXCAVATION GUARANTEES**

BE IT ORDAINED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that the Code of the Township of Union, County of Hunterdon, State of New Jersey, is hereby amended as follows (deletions ~~struck through~~, additions underlined):

- I.** Chapter X, Building and Housing, Section 10-5, is hereby amended to read as follows:

EXCAVATION GUARANTEE.

Prior to the issuance of any permit requiring excavation, the applicant shall deposit with the ~~Construction Official~~ Zoning Officer performance guarantee in the form of a surety bond executed by the applicant as principal and a surety company licensed to do business in the State of New Jersey as surety, a letter of credit in a form acceptable to the Municipal Attorney or a cash performance guarantee. The amount of the excavation bond shall be in the amount of the excavation contract or the estimated cost of the excavation as determined by the ~~Construction Official~~ Zoning Officer. The excavation performance guarantee shall be conditioned upon the

MINUTES OF REGULAR MEETING October 1, 2014

performance by the applicant of the following requirements:

- a. The restoration of the street or roadbed, its surface and paving to its original condition prior to openings for utility connections or for other purposes in connection with the construction operation.
- b. The restoration of any sidewalk or curbing construction to the condition existent prior to such construction operation and repair of all damage resulting from such construction operation.
- c. The refilling or backfilling of any excavation so as to restore the land to its original condition in the event of any cessation or abandonment of the construction operation leaving the property in a dangerous or unsanitary condition, constituting a menace to public health and safety. (Ord. No. 96-5 § 2)

II. Severability. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

III. Repealer. All Ordinances or parts of Ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

IV. Effective Date. This Ordinance shall take effect after final passage, adoption and publication according to law.

Attest:

Ella M. Ruta, Clerk

Michele A. McBride, Mayor

First Reading: October 1, 2014
 Publication: October 9, 2014
 Public Hearing/Adoption: November 5, 2014
 Published by November 13, 2014

| 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

12. OLD BUSINESS – none

13. NEW ORDINANCE – 1ST Reading – none

13. NEW BUSINESS

- a. The following resolution was introduced for adoption:

RESOLUTION #2014-123

**UNION TOWNSHIP, HUNTERDON COUNTY
Part-Time Recycling Attendant; David Jay Booth**

WHEREAS, there is a need for a part-time recycling attendant; and

WHEREAS, David Jay Booth is qualified and has expressed an interest in same;

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union to hire David Jay Booth as a part-time recycling attendant, effective August 1, 2014 at an hourly rate of \$11.75 per hour.

| 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

b. The following resolution was introduced for adoption:

**TOWNSHIP OF UNION
COUNTY OF HUNTERDON
STATE OF NEW JERSEY**

**RESOLUTION #2014 - 124
Authorizing Replenishment of Escrow Account
Block 22, Lot 24, Fallone at Union, LLC**

Whereas, the Hunterdon County Construction Board of Appeals filed a written decision on September 17, 2014 in the matter of the appeal of Fallone at Union, LLC, Block 22, Lot 24, 150 Perryville Road, Union Township, Hampton, New Jersey 08827, which requires the Township to replenish the applicant’s escrow account in the amount \$2,000; and

Now, Therefore, Be It Resolved, that the following transfer of funds is hereby authorized in order to replenish the applicant’s escrow account in the above described matters:

Transfer From:

Union Township General Account \$2,000.00

Transfer To:

Fallone at Union, LLC Escrow Account \$2,000.00

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 | | x | | | |
| Mr. Hirt | | x | x | | | |

| | | | | | | |
|--------------|--|--|---|--|--|--|
| Ms. McBride | | | X | | | |
| Mr. Bischoff | | | X | | | |

Motion carried

c. The following resolution was introduced for adoption:

RESOLUTION 2014-125

**ESCROW REFUND
David and Cynthia Case
70 Driftway West, Hampton, NJ 08827**

WHEREAS, David and Cynthia Case did post an escrow account an application, and

WHEREAS, the application is complete and all invoices have been paid,

WHEREAS, there is a remaining balance of \$402.57 in the escrow account

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$402.57 be refunded to David and Cynthia Case.

| 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

d. The following Proclamation was introduced for adoption. Mayor McBride read the Proclamation in full and presented it to the members of Union Forge Heritage Association:

RESOLUTION #2014-126

A PROCLAMATION
In Recognition of the Union Forge Heritage Association

WHEREAS, Union Forge Heritage Association (UFHA) is a proactive organization, committed to protecting the rich cultural and natural heritage of Hunterdon County, New Jersey; and

WHEREAS, Union Forge Heritage Association was founded in 2002, created and operated the Solitude House Museum in High Bridge until 2012; and

WHEREAS, Union Forge Heritage Association after much work and effort by its members and volunteers has recently restored and now maintains the 1760 Joseph Turner House on Van Syckel’s Road in Union Township as the Solitude Heritage Museum; and

WHEREAS, Union Forge Heritage Association has received numerous distinguished achievement awards from the Hunterdon County Cultural & Heritage Commission, the Hunterdon County Planning Board and other organizations; and

WHEREAS, Union Forge Heritage Association provides education, events, museum facilities, environmental and historical lectures, library and fosters events in Union Township; and

NOW, THEREFORE, I, MICHELE MCBRIDE, Mayor of the Township of Union, in the County of Hunterdon, State of New Jersey do hereby proclaim Union Township’s recognition of and congratulations to Union Forge Heritage Association and its officers, trustees and members on the restoration of the 1760 Joseph Turner House and the opening of Solitude Heritage Museum, and on behalf of Union Township’s governing body, I welcome Union Forge Heritage Association to our municipality and express our appreciation for all the accomplishments of this distinguished organization, and we look forward to many years of important and worthwhile educational activities by Union Forge Heritage Association in Union Township.

IN WITNESS WHEREOF, I have hereunto set my hand this 1st day of October, in the year of our Lord two thousand fourteen, and of the Independence of the United States of America the two hundred and thirty-ninth.

| 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

14. REPORTS

a. Attorney’s Report

- Spoke with Dan Van Fossen, Fire Chief about amendments to the Fire Dept. ordinance. Atty. Jost said he still needs to talk to the Attorney for Fire Dept., but the ordinance is ready for introduction tonight. The Committee agreed to wait with introduction of the ordinance until the October 15th meeting.
- Potential Litigation matter for Executive Session.

b. Committee Reports

Mr. Hirt reported the following:

- Thanked everyone involved in helping of preparation for the UT Community Day. He said it was another successful, enjoyable and beautiful Community Day in Union Township.

Mr. Severino reported the following:

- Asked that a link to Hunterdon County Solid Waste and Recycling Services website be added to the Union Twp. website. He said the County posts information of dates to drop off Hazardous Waste, Electronics and Community Paper Shredding. Mayor McBride will add a link.

Mr. Bischoff reported the following:

- Quote: “The big divide in this country is not between.....women and men, but between talkers and doers.”- Thomas Sowell
- Together with Mayor McBride and Township of Clinton Administrator Marvin Joss attended a meeting regarding the Municipal Court Shared Services Agreement. Details will be discussed in Executive Session.
- Provided a copy with pictures of different sites in the Township and made a suggestion that one of them could be used as part of a logo for the Township Seal.
- Working on the Personnel Policies and Procedures with Personnel Administrator Brennan. Meeting with Twp. Attorney and Mrs. Brennan will be scheduled soon to discuss some of the policies.

Mr. Mazza reported the following:

- Asked who placed American Flags on the overpass bridges at Exit 11 and 12. He said they are in a bad condition and need to be removed or replaced. Mr. Severino answered that Boys Scouts have put them up. Mr. Mazza will contact Boy Scouts.
- Met with Craig Herman at the Finn Road Park and determined that soccer Field C would be the best one to be named in honor of Mr. Joseph Martin. Mr. Martin is a longtime resident who served for many years as a member of the Township Committee and Planning Board. He is also a member of the Historic Preservation Committee and is the local Historian. Atty. Jost will prepare dedicating Proclamation.

The following motion was introduced for adoption:

**Honoring Joseph Martin by dedicating Field C at the Finn Road Park to be named after his name.
To dedicate Field C at the Finn Road Park in honor of Joseph Martin.**

| 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

- Spoke of the kind of top soil that will be used on the field at the park.
- Talked with Mayor McBride, Paul Pasquarella member of the UT Recreation Committee about implementing the Safety Action Plan for Missing Children. The Plan would cover Recreational Soccer Program at the Finn Rd. Park. Mr. Mazza explained some of the details of the plan. CFO Brennan would contact our insurance about the plan.

c. Mayor’s Report

- Today attended a meeting regarding proposed Water Ordinance by Town of Clinton. In attendance were Mayors from Clinton Twp., Franklin Twp., Lebanon Borough and other representatives from the Town of Clinton. Mayor McBride said that it was a very constructive meeting. It was agreed by all parties in attendance that COAH obligations would be given a top priority for water allocation. The amended copy of the Ordinance will be forwarded to all affected.
- Old Municipal Building landscaping project is complete with exception of gate chain.
- Thanked the Union Township Community Day Committee for their hard work to make a wonderful day for residents to enjoy. Prepared and distributed to the Committee members copies of thank you letters to be sent

to Debbie Hirt, Chairman of the Committee and Richard Schulman, owner of the Hunterdon Hills Playhouse. The Clerk will mail the letters tomorrow.

- Mayor asked if the Committee would agree to present Mr. Schulman with Proclamation thanking him for many years of allowing the Township the use of his property for Community Days. She also asked that members of the Community Day Committee be invited to the Township’s Volunteer Diner. The Committee agreed.
- Mayor McBride suggested December 4th to hold Volunteer Appreciation Dinner. After brief discussion, the Committee agreed with alternate date of December 11th. She asked that the Committee submit names for volunteer of the year at the next Committee meeting.
- Talked about cost recovery by Pattenburg Fire Dept. and other adjacent Fire Depts. when responding to calls from State of New Jersey agencies located in the Township.
- Personnel matter for Executive Session

15. PUBLIC COMMENTS – none at this time

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 | x | | | |
| Mr. Hirt | | | x | | | |
| Ms. McBride | | | x | | | |
| Mr. Bischoff | x | | x | | | |

Motion carried

The Committee members requested a short break before going into Executive Session.

17. EXECUTIVE SESSION –

The following Resolution introduced for adoption:

RESOLUTION #2014 – 127
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 of 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 X 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 October 1, 2014 at 7:57 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 | | | |

MINUTES OF REGULAR MEETING October 1, 2014

| | | | | | | |
|--------------|---|--|---|--|--|--|
| Mr. Hirt | | | x | | | |
| Ms. McBride | | | x | | | |
| Mr. Bischoff | x | | x | | | |

Motion carried

The Committee returned to a regular meeting session at 8:25 p.m.

| 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

The following motion was introduced after the Committee came out of Executive Session:

To authorize the CFO Brennan to proceed with personnel matter discussed in Executive Session along lines that was discussed in that session.

| 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

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 8:26 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Prepared by: Ella M. Ruta, Municipal Clerk

Michele McBride, Mayor