

TOWNSHIP OF UNION

RE-ORGANIZATION MEETING JANUARY 7, 2009 MINUTES

1. CALL TO ORDER

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by notice published in the Hunterdon Democrat and Courier News and posted on the public bulletin board and on file in the Municipal Clerk’s office.

2. FLAG SALUTE

3. TEMPORARY CHAIRMAN: Motion was made by Mr. Bischoff to appoint J. Peter Jost, Esq., Temporary Chairman, seconded by Mrs. Dziubek. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

4. SWEARING IN: Mr. Jost swore in Mrs. Dziubek and Mr. Mazza as Township Committee Members.

5. ROLL CALL: Present – Rob Haynes, Matt Severino, William F. Bischoff, Patricia Dziubek, Frank Mazza. J. P. Jost, Esq., Township Attorney, Ella M. Ruta, Township Clerk, were also present.

6. MAYOR APPOINTMENT: Motion was made by Mr. Bischoff, seconded by Mr. Severino, to appoint Mrs. Dziubek for the position of the Township Mayor. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

7. SWEARING IN: Mr. Jost swore in Mrs. Dziubek, Mayor and turned the meeting over to her.

8. NOMINATION DEPUTY MAYOR: Motion was made by Mr. Mazza to nominate Mr. Severino Deputy Mayor, seconded by Mr. Haynes. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Bischoff, Mr. Mazza. Motion carried.

9. SWEARING IN: Mr. Jost swore in Deputy Mayor Severino.

10. APPOINTMENTS AND RESOLUTION(S) –

The following Resolution was introduced for adoption:

RESOLUTION #2009-1

**UNION TOWNSHIP, HUNTERDON COUNTY
CONFIRMING APPOINTMENTS – 2009**

BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, N. J., that the foregoing appointments are hereby confirmed, ratified and approved provided that all professional appointments are subject to and contingent upon approval and signing of contracts for professional services for the year 2009:

NOTE: * INDICATES NEW OR REAPPOINTMENT; OTHER OFFICIALS ARE LISTED FOR INFORMATIONAL PURPOSES ONLY.

POSITION	TERM	ENDING	NAME
Twp. Clerk/Deputy Registrar	3 yr.	03/05/2010	Ella Malecki Ruta
Deputy Clerk	1 yr.	12/31/2009	<u>Vacancy</u>
Chief Fin. Officer	4 yr.	12/31/2011	Grace M. Brennan
Tax Collector	4 yr.	12/31/2012	John P. Earley*
Deputy Tax Collector	1 yr.	12/31/2009	Ella Malecki Ruta

Tax Assessor	4 yr.	12/ 8/2009	Robert Vance
Treasurer	1 yr.	12/31/2009	John P. Earley*
Registrar	3 yr.	12/31/2009	Darlene N. Beam
Auditor	1 yr.	12/31/2009	Robert B. Cagnassola, RMA* (Suplee, Clooney & Company)
Township Attorney	1 yr.	12/31/2009	J. P. Jost, Esq.*
Bond Counsel	1 yr.	12/31/2009	Anthony Panella, Esq.*
Special Counsel -Litigation	1 yr.	12/31/2009	John W. Thatcher, Esq.*
Special Counsel -Litigation	1 yr.	12/31/2009	William D. Brinton, Esq.*
Special Counsel – COAH	1 yr.	12/31/2009	Stuart Koenig, Esq.*
Township Engineer	1yr.	12/31/2009	John Reymann, P.A. – 30 days*
Tax Search Officer	1 yr.	12/31/2009	John P. Earley*
Assessment Search Officer	1 yr.	12/31/2009	Ella Malecki Ruta*
Certified SS Agent	1 yr.	12/31/2009	John P. Earley*
Public Agency Comp.Off.	1 yr.	12/31/2009	Ella Malecki Ruta*
Dog/Cat Registrar	1 yr.	12/31/2009	Ella Malecki Ruta*
Zoning Officer	3 yr.	07/18/2010	Richard McManus
Deputy Zoning Officer	1 yr.	12/31/2009	Orest Walchuck*
Emg.Mgm./9-1-1 Coord.	3 yr.	12/31/2009	Jeffrey Polenz
Deputy Emg. Mgm. Coord.	1 yr.	12/31/2009	Bruce Hirt*
Coordinator of Aging	1 yr.	12/31/2009	Fran LaTournous*
Construction Official		Tenured Position	John W. Leonard
Fire SubCode Official	4 yr.	12/31/2009	Peter Ball
Electrical Subcode Official/Insp.	4 yr.	12/31/2009	Kevin Fleming
Plumbing Subcode “ “	4 yr.	12/31/2009	Stewart Doddy
Road Foreman	1 yr.	12/31/2009	Craig Herman*
Municipal Judge	3 yr.	4/ 1/2010	Edward R. Martin
Prosecutor	1 yr.	12/31/2009	Robert A. Ballard, Jr. Esq.
Mun. Public Defender	1 yr.	12/31/2009	Scott C. Mitzner, Esq.
Court Administrator		Tenured Position	Katherine V. Cupon
Perc/Soil Witness & Waste Water Mgm.	1 yr.	12/31/2009	Stephen J. Souza, Ph.D.* (Princeton Hydro)
Hunterdon Cty.Ag.Dev.Bd.	1 yr.	12/31/2009	<u>Vacancy</u>

BOARD OF HEALTH

Chairman	1 yr.	12/31/2009	Patricia Dziubek *
Secretary	1 yr.	12/31/2009	Matt Severino *
Board Member	1 yr.	12/31/2009	Rob Haynes*
Board Member	1 yr.	12/31/2009	William F. Bischoff*
Board Member	1 yr.	12/31/2009	Frank Mazza *
Assessor	1 yr.	12/31/2009	Robert Vance*
Physician	3 yr.	12/31/2011	Dr. Robert L. Friedman*

RECYCLING/SOLID WASTE

Chairman/Coordinator	3 yr.	12/31/2009	William Garrison
Committee Member	1 yr.	12/31/2009	Matt Severino*
Member	1 yr.	12/31/2009	Craig Hermann*

ENVIRONMENTAL COMMISSION

Planning Bd. Rep./Secretary	3 yr.	12/31/2011	Kathleen Corcoran*
Citizen Member	3 yr.	12/31/2010	Stephen Hurford
Citizen Member /Vice Chair	3 yr.	12/31/2009	Michele McBride
Citizen Member /Chairman	3 yr.	12/31/2009	William Harclerode
Citizen Member	3 yr.	12/31/2009	John Winger
Citizen Member	3 yr.	12/31/2010	Sandy Stiger
Citizen Member	3 yr.	12/31/2010	Chuck Neary*
Alternate I	2 yr.	12/31/2008	<u>Vacancy</u>
Alternate II	2 yr.	12/31/2009	<u>Vacancy</u>

PLANNING BOARD/BOARD OF ADJUSTMENT

Class I (Mayor)	1 yr.	12/31/2009	Patricia Dziubek*
Class II (Mun. Officer)	1 yr.	12/31/2009	Orest Walchuck*
Class III (Gov. Body Member)	1 yr.	12/31/2009	William F. Bischoff*
Class IV (Citizen Member)	4 yr.	12/31/2012	Al Ryland*
Member	4 yr.	12/31/2010	Kathleen Corcoran
Member	4 yr.	12/31/2009	Robert Badenhausen
Member	4 yr.	12/31/2012	Alan Ford*
Member	4 yr.	12/31/2009	Frank Taibi
Member	4 yr.	12/31/2010	Brian Kirkpatrick
Alt. I	2 yr.	12/31/2010	<u>Vacancy</u> *
Alt. II	2 yr.	12/31/2009	<u>Vacancy</u> *
Engineer	1 yr.	12/31/2009	John R. Reymann, P.E. – 30 days*
Attorney	1 yr.	12/31/2009	Mark Anderson, Esq.*
Secretary	1 yr.	12/31/2009	Grace Kocher*
Planner	1 yr.	12/31/2009	Carl E. Hintz, PP*

RECREATION COMMITTEE

Member	3 yr.	12/31/2009	Jim Teipel
Member	3 yr.	12/31/2009	Kathy Harvey
Member	3 yr.	12/31/2010	Russ Talamo
Member	3 yr.	12/31/2009	Jack Hara - Chair
Member	3 yr.	12/31/2011	Mary Beth Kasturd*
Member	3 yr.	12/31/2011	Tom Brennan*
Member	3 yr.	12/31/2009	John Corcoran
Member	3 yr.	12/31/2009	Jens Duerr – Vice -Chair
Alternate	3 yr.	12/31/2009	Scott Eichlin
Alternate	3 yr.	12/31/2010	Heidi Maroney

HISTORIC PRESERVATION COMMITTEE

Historian	3 yr.	12/31/2011	Joseph V. Martin*
Member	3 yr.	12/31/2010	Patricia Lingelbach
Member	3 yr.	12/31/2011	Robert Everett*
Member	3 yr.	12/31/2009	Douglas Martin
Architect	3 yr.	12/31/2011	Susan M. Rochelle, AIA*

CABLE TV ADVISORY COMMITTEE

Member	1 yr.	12/31/2009	Michael Gallagher*
Member	1 yr.	12/31/2009	Stephen Hurford*
Member	1 yr.	12/31/2009	Bruce Pearson*
Member	1 yr.	12/31/2009	Leslie Kulick*
Member	1 yr.	12/31/2009	Debbie Hirt*

AGRICULTURE ADVISORY COMMITTEE

Chair Person	3 yr.	12/31/2011	Paige DiRoberto*
Member	3 yr.	12/31/2011	Brian Kirkpatrick*
Member	3 yr.	12/31/2011	Michael Mathews*
Member	3 yr.	12/31/2011	Scott Eichlin*
Member	3 yr.	12/31/2011	<u>Vacant*</u>

Mayor Dziubek read the above resolution line by line and made the following changes/appointments:

- Appointed Ella Malecki Ruta as the Deputy Tax Collector
- Robert Ballard as the Municipal Court Prosecutor
- Scott Mitzner as the Municipal Public Defender

Mr. Haynes made a motion to nominate Mr. Bischoff for the Class III (Gov. Body Member) to the Planning Board. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Bischoff, Mr. Mazza. Motion carried.

Mayor Dziubek stated that Mr. Joseph Martin has resigned as the member of the Planning Board after 51 years of service. Clerk was directed to send a thank you letter to Mr. Martin on behalf of the Committee and the Township.

Mrs. Dziubek also recommended that the Cable Committee be abolished. After a brief discussion, the Committee agreed to sustain the Cable Committee at present. The Committee will look into the matter later.

Motion was made by Mr. Mazza, seconded by Mr. Haynes, to appoint John Reymann, P.E. as the Township Engineer for 30 days. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

Mr. Severino made a motion to adopt above resolution including agreed to changes by the Committee. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Bischoff, Mr. Mazza. Motion carried.

CONSENT AGENDA – “ALL MATTERS LISTED BELOW UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE TOWNSHIP COMMITTEE AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL NOT BE DISCUSSION ON THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY.”

Mr. Severino requested that resolution #2009-13 be removed from the consent agenda.

CONSENT AGENDA – Resolutions #2009-2 through 12:

**RESOLUTION #2009-2
UNION TOWNSHIP, HUNTERDON COUNTY
OPEN PUBLIC MEETINGS ACT**

WHEREAS, the Open Public Meetings Act (N.J.S.A. 10:4-6 et seq. Hereinafter the “Act”) provides for the giving of an annual notice by public bodies of a schedule of the succeeding year, including the location of each meeting to the extent it is known, and the time and date of each meeting; and

WHEREAS, the Act authorizes a public body to make certain other determinations and to take certain other actions in conformance therewith;

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

1. Regular meetings of the township Committee shall be held during the 2009 calendar year at 7:00 p.m. prevailing time on the first and third Wednesdays of each month at the Municipal Building, 140 Perryville Road, Jutland, New Jersey, unless re-scheduled in conformity with said Act.
2. The following newspapers are hereby designated as the newspapers to receive any and all notices required or permitted to be given under the Act including but not limited to the Annual Notice of regular meetings or any revision thereto, 48 hour notice of any special meeting and notice of any emergency meeting for which prior adequate notice was not provided:
 - a. The Hunterdon Democrat which is the official newspaper of this public body; and
 - b. The Courier News, which is hereby determined to be other newspaper which has the greatest likelihood of informing the public within this Municipality of meetings of this public body.
3. The following newspapers are hereby designated as alternate newspapers to receive any of the notices described in Paragraph 2, above, in the event that either or both of the newspapers designated in Paragraph 2 shall be unavailable to receive or publish such notices within the time requirements of the Act due to weekly publishing schedules:
 - a. The Express Times which is hereby determined to be the alternate newspaper which has the greatest likelihood of informing the public of this Municipality of meetings of this public body and may be utilized when necessary to receive such notices in order to conform to the maximum extent possible with the time and notice requirements to the Act.
4. The following fees are hereby fixed to cover the costs of providing and mailing any person requesting copies of any notice pursuant to Section 14 of the Act, which fees shall be prepaid by such person:
 - a. To receive by mail any one copy of any annual notice of any annual notice of regular meetings or revision thereto described in Section 13 of the Act, or any one 48 hour advance written notice described in Subsection 3-d of the Act of any regular, special or re-scheduled or emergency meeting of this body, the sum of \$5.00.
 - b. To receive written, advance notice of all of the meetings of this public body within the time prescribed by Subsection 3-d of the Act up to and including December 31, 1998, the sum of \$150.00.
5. Copies of the attached Annual Notice shall be provided as follows:
 - a. Posted and maintained throughout the calendar year on the public bulletin board at the Municipal Building.
 - b. Mailed or hand delivered to the newspapers designated in Paragraph 2 hereof.
 - c. Filed with the Clerk of the Municipality.
 - d. Mailed or hand delivered to any person so requesting in accordance with Paragraph 4 hereof.

RESOLUTION #2009-3
UNION TOWNSHIP, HUNTERDON COUNTY
FIXING INTEREST RATES/ DELINQUENT TAXES/CALENDAR YEAR 2009

BE IT RESOLVED that pursuant to R.S. 54:4-67, the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, hereby fixes the rate of interest to be charged on delinquent taxes for the calendar year **2009** at the rate of eight (8%) percent per annum on the first \$1,500.00 of delinquency and Eighteen (18%) percent per annum on any amount in excess of \$1,500.00 of delinquency.

BE IT FURTHER RESOLVED, that notwithstanding the above provision, no interest shall be charged if payment of any installment is made within ten (10) days after the date upon which the same became payable according to the laws in such cases made and provided. If such payment is not made within the said ten (10) day grace period, the above rate of interest shall run and accrue from the original due date of such taxes; should the 10th day fall on a weekend or holiday, the time shall be extended to the next business day.

BE IT FURTHER RESOLVED, that any taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year, shall be so charged on additional rate of interest of six (6) percent against the delinquency.

**RESOLUTION #2009-4
UNION TOWNSHIP, HUNTERDON COUNTY
SOCIAL SECURITY AGENT APPOINTMENT**

WHEREAS, it is required by the Statutes of New Jersey that an agent be appointed and certified for receiving monies and preparing the necessary forms for Social Security and pensions for employees of the Township of Union;

NOW, THEREFORE, BE IT RESOLVED, that John P. Earley be appointed as certified agent to prepare all necessary forms for Social Security and pension payments, and be authorized to receive payments on behalf of the Township of Union for both the State of New Jersey and the Federal Government during the calendar year 2009.

**RESOLUTION #2009-5
UNION TOWNSHIP, HUNTERDON COUNTY
Fixing Price of Photocopies, Fax, Certified and Notarized Copies, Recordings;
Certified List of Property Owners within 200 ft./500 ft.**

BE IT RESOLVED the fee for photocopies of letter/legal size documents and papers from the Township of Union shall be seventy-five cents (\$.75) per page, except as otherwise provided by law or by the Annual Sunshine Resolution providing for fees for copies of current minutes and meeting notices. The fee for 11" x 17" tax maps shall be \$3.00 per sheet. Oversized documents or documents, which require outside copying or special handling – fee not to exceed fifteen percent (15%) of the actual copy charge.

BE IT FURTHER RESOLVED that the fee for certification of any document shall be twenty-five cents (\$.25) per certification except for certified copies of records of the Registrar of Vital Statistics, or otherwise as provided by law.

BE IT FURTHER RESOLVED that the fee for notarization of any document unless otherwise provided by law or regulation, shall be one dollar (\$1.00) per notarization.

FAX sending fees of "Tax Searches/Information" by the Union Township Tax Collector are as follows: \$2.00 1st page and \$1.00 for each additional page.

FAX sending fees, for the general public, shall be (within the U.S.A.) \$7.00, first page; subsequent pages will be \$3.00.

200 ft. CERTIFIED LIST OF PROPERTY OWNERS, \$10.00 per non-contiguous property.

500 ft. CERTIFIED LIST OF PROPERTY OWNERS, \$25.00 per non-contiguous property.

CD/Tape recordings: \$5.00 per recording.

**RESOLUTION #2009-6
UNION TOWNSHIP; HUNTERDON COUNTY
AUTHORIZING FILING OF STIPULATIONS AND CORRECTIVE APPEALS BY THE MUNICIPAL ATTORNEY
– 2009**

WHEREAS, the Township Committee of the Township of Union has been informed that from time to time errors are made in computing tax assessments; and

WHEREAS, the Municipal Attorney has requested that the Union Township Committee authorize him to file corrections of such errors with the Hunterdon County Board of Taxation, and/or the New Jersey Tax Court, as requested by the Municipal Assessor; and

WHEREAS, the Municipal Attorney is called upon, with the municipal assessor, to prosecute and defend tax appeals filed with the Hunterdon County Board of Taxation and/or the New Jersey Tax Court and to agree to stipulation of appeals;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union that the municipal attorney at the request of the assessor, be and is hereby authorized to file corrective appeals with the Hunterdon County Board of Taxation and/or the New Jersey Tax Court; and

BE IT FURTHER RESOLVED that the municipal attorney is hereby authorized to represent this municipality before the Hunterdon County Board of Taxation and/or the New Jersey Tax Court in prosecution and defense of appeals filed with said Board or Court and to enter into and sign stipulations of appeals on behalf of this municipality, which he feels are proper and in the best interests of the municipality, provided that all such stipulations shall be with the concurrence of the municipal assessor.

RESOLUTION #2009-7
UNION TOWNSHIP; HUNTERDON COUNTY
RESOLUTION AUTHORIZING FILING OF STIPULATIONS AND CORRECTIVE APPEALS BY TAX ASSESSOR
- 2009

WHEREAS, the Township Committee of the Township of Union has been informed that from time to time errors are made in computing tax assessments; and

WHEREAS, the Municipal Attorney has requested that the Union Township Committee authorize him to file corrections of such errors with the Hunterdon County Board of Taxation; and

WHEREAS, the Tax Assessor of the Township of Union is called upon to defend tax appeals filed with the Hunterdon County Board of Taxation and/or the New Jersey Tax Court and to agree to stipulation of appeals;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union that the municipal attorney at the request of the assessor, be and is hereby authorized to file corrective appeals with the Hunterdon County Board of Taxation and/or the New Jersey Tax Court; and

BE IT FURTHER RESOLVED by the Township Committee of the Township of Union that the Tax Assessor of the Township of Union be and is hereby authorized to file corrective appeals with the Hunterdon County Board of Taxation, to represent the Township of Union before the Hunterdon County Board of Taxation in defense of appeals filed with said Board and to sign stipulation of appeals on behalf of the Township of Union, which he feels are proper and in the best interest of the Municipality.

RESOLUTION #2009-8
UNION TOWNSHIP, HUNTERDON COUNTY
CASH MANAGEMENT PLAN

I. STATEMENT OF PURPOSE.

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Township of Union, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN

A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Township of Union:

Current Account Capital Account General Trust Account

B. It is understood that this Plan is not intended to cover certain funds and accounts of the Township, specifically:

Escrow Payroll Deduction PATF I and II

III. DESIGNATION OF OFFICIALS OF THE TOWNSHIP OF UNION AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer of the Township of Union (and the Treasurer) (the “Designated Official”) is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Township of Union are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of the Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES.

The following banks and financial institutions are hereby designated as official depositories for the deposit of all public funds referred to in the Plan, including any Certificates of Deposit, which are not otherwise invested in Permitted Investments as provided for in this Plan:

Bank of America	PNC Bank	
New Jersey Cash Management Fund	Unity Bank	TD Bank
Wachovia Bank	Peapack Gladstone Bank	Valley National Bank
Federal Reserve Bank		

All such depositories shall acknowledge, in writing, receipt of the Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

V. DESIGNATION OF BROKERAGE FIRMS AND DEALERS WITH WHOM THE DESIGNATED OFFICIALS MAY DEAL.

The following brokerage firms and/or dealers and other institutions are hereby designated as firms with whom the Designated Official(s) of the Township of Union referred to in this Plan may deal for purposes of buying and selling securities identified in this Plan as Permitted Investments or otherwise providing for deposits. All such brokerage firms and/or dealers shall acknowledge, in writing, receipt of this Plan by sending a copy of such acknowledgment to the Designated Official(s) referred to in Section III above.

VI. AUTHORIZED INVESTMENTS.

A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following permitted investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
- (6) Local government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to Section 1 of P.L. 1977, c. 281 (C.52:18A-90.4); or
- (8) Agreements for the repurchase of fully collateralized securities if:
 - (a) the underlying securities are permitted investments pursuant to Paragraphs (1) and (3) of this subsection a;
 - (b) the custody of collateral is transferred to a third party;
 - (c) the maturity of the agreement is not more than 30 days;
 - (d) the underlying securities are purchased through a public depository as defined in Section 1 of P.L.1970, c.236(C.17:9-41); and
 - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms “government money market mutual fund” and “local government investment pool” shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- (a) which is registered with the Securities and Exchange Commission under the “Investment Company Act of 1940”, 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) the portfolio of which is limited to U.S. Government Securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2A-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- (c) which has:
 - (i) attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - (ii) retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the “Investment Advisors Act of 1940”, U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- (a) which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- (b) which is rated in the highest category by a nationally recognized statistical rating organization;
- (c) which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- (d) which is in compliance with rules adopted pursuant to the “Administrative Procedure Act”, P.L. 1968, c.410 (c.52:18B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the Board to provide for the safety, liquidity and yield of the investments;
- (e) which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- (f) which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously least two years pursuant to Section 9 of P.L. 1967 c.9(C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

B. Notwithstanding the above authorization, the monies on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows: None

VII. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Township of Union, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Township of Union to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a “delivery versus payment” method to insure that such permitted investments are either received by the Township of Union or by a third party custodian prior to or upon the release of the Township’s funds.

To assure that all parties with whom the Township of Union deals with by way of deposits or permitted investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan

in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

VIII. REPORTING REQUIREMENTS.

On the first day of each month during which this Plan is in effect, the designated Official(s) referred to in Section III hereof shall supply to the governing body of the Township of Union a written report of any deposits or permitted investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Township of Union as a deposit or a permitted investment.
- B. The amount of securities or deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or deposits made.
- D. The book value of such deposits or permitted investments.
- E. The earned income on such deposits or permitted investments. To the extent that such amounts are earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such deposits or permitted investments.
- G. The market value of all deposits or permitted investments as of the end of the immediately preceding months.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Township of Union.

IX. TERM OF PLAN.

This Plan shall be in effect from January 1, 2008, to December 31, 2008. Attached to this Plan is a resolution of the governing body of the Township of Union approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Township Committee, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

**RESOLUTION #2009-9
UNION TOWNSHIP; HUNTERDON COUNTY
CANCELLATION OF PROPERTY TAX REFUND/DELINQUENCY
LESS THAN \$10.00 – 2009**

WHEREAS, the State of New Jersey allows a municipal employee to process the cancellation of any property tax refund or delinquencies of less than \$10.00; and

WHEREAS, the municipal employee allowed to process the cancellation shall be the Tax Collector;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union to authorize the Tax Collector to process the cancellation of any property tax refund or delinquency of less than \$10.00.

**RESOLUTION #2009-10
UNION TOWNSHIP, HUNTERDON COUNTY
DESIGNATING OFFICIAL NEWSPAPER – 2009**

BE IT RESOLVED that the Hunterdon County Democrat, the Courier News and Express Times newspapers publicized and printed in the County of Hunterdon and circulating in the County of Hunterdon, are hereby designated as the official and alternate newspapers of the Township of Union pursuant to N.J.S.A. 40:53-1, for the publication of all official notices required by law during the calendar year 2009.

**RESOLUTION 2009-11
UNION TOWNSHIP, HUNTERDON COUNTY
2009 TEMPORARY BUDGET**

WHEREAS, N.J.S. 40 A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2009 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, one fourth of the total appropriations in the 2008 budget, exclusive of any appropriations made for interest/debt redemption charges and capital improvement fund in said 2008 budget is the sum of \$599,209.93;

NOW, THEREFORE, BE IT RESOLVED that the following appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer for his/her records:

TEMPORARY APPROPRIATIONS 2009

	SALARIES	OTHER EXPENSES
General Administration		\$ 7,500.00
Mayor & Township Committee	\$ 6,000.00	
Municipal Clerk	\$ 15,000.00	
Finance Administration	\$ 15,000.00	\$ 2,000.00
Audit Services		\$ 10,000.00
Computerized Data Processing		\$ 7,500.00
Revenue Admin. Tax Collection	\$ 10,000.00	\$ 2,500.00
Assessment of Taxes	\$ 10,000.00	\$ 4,500.00
Legal Services	\$ -	\$ 36,959.93
Engineering Services		\$ 20,000.00
Planning Board	\$ 8,000.00	\$ 20,000.00
Zoning Board of Adjustment	\$ 2,000.00	\$ -
Construction Official	\$ 15,000.00	\$ 2,000.00
Building Sub Code Official	\$ 15,000.00	\$ -
Fire Sub Code Official	\$ 3,000.00	\$ -
Unemployment Insurance		\$ 500.00
Liability Insurance		\$ 30,000.00
Worker Compensation Insurance		\$ 15,000.00
Employee Group Insurance		\$ 42,000.00
Office of Emergency Management	\$ 3,000.00	\$ 750.00
911 Coordinator	\$ 500.00	
Aid to Volunteer Fire Companies		\$ 2,500.00
Aid to Volunteer Fire Companies Adj.		\$ 2,500.00
Contribution to First Aid Org.		\$ 2,500.00
Fire Hydrant Service		\$ 1,000.00
Municipal Prosecutor	\$ 5,000.00	
Streets & Roads	\$ 50,000.00	\$ 50,000.00
Solid Waste Collection	\$ 3,000.00	\$ 25,000.00
Buildings and Grounds		\$ 20,000.00
Public Health Services		\$ 500.00
Environmental Health Services	\$ -	\$ 1,500.00
Animal Control Services	\$ 2,000.00	\$ 2,000.00
Contribution to Social Services		\$ 1,500.00
Recreation Services & Programs		\$ 12,000.00
Maintenance of Parks	\$ 3,500.00	\$ 6,000.00
Celebration of Public Events		
Electricity		\$ 4,000.00
Street Lighting		\$ 5,000.00
Telephone		\$ 4,000.00
Fuel Oil		\$ 500.00
Gasoline Diesel Fuel		\$ 5,000.00
Municipal Court	\$ 50,000.00	\$ 10,900.00
Public Defender	\$ -	\$ 600.00
Fair Share Housing		\$ -
LOSAP		\$ -
Social Security	\$ -	\$ 25,000.00

Total	\$216,000.00	\$ 383,209.93
Total Temporary Budget 2008	\$599,209.93	
Debt Service		
Principal on Notes		\$2,675,000.00
Interest on Notes		\$202,957.00
interest on Bonds		\$ 116,426.88
		\$2,994,383.88

**RESOLUTION #2009-12
UNION TOWNSHIP, HUNTERDON COUNTY
COORDINATOR AND ALTERNATE COORDINATOR
FOR THE AGING - 2009**

WHEREAS, Fran LaLournous is hereby appointed to represent the Township of Union as the Coordinator for the Aging; and

WHEREAS, Jean Donato is hereby appointed to represent the Township of Union as the Alternate Coordinator for the Aging; and

THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union to appoint Fran LaLournous, Coordinator and Jean Donato as Alternate Coordinator for the Aging to serve for the Township of Union, Hunterdon County, for year 2009.

Mr. Mazza made a motion t to adopt the Consent Agenda, Resolutions 2009-2 through 12. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mrs. Dziubek, Mr. Bischoff, Mr. Mazza. Motion carried.

**RESOLUTION #2009-14
UNION TOWNSHIP, HUNTERDON COUNTY
TAX AND ASSESSMENT SEARCHES**

BE IT RESOLVED, that John P. Earley, Tax Collector of the Township of Union, is hereby appointed and designated as the bonded official of the Township of Union who is vested with the power to make official certificates of searches for municipal liens pursuant to N.J.S.A. 54:4-11 et seq. During the calendar year **2009**, to serve at the pleasure of the Township Committee;

BE IT FURTHER RESOLVED, that Ella Malecki Ruta, Clerk of the Township of Union, is hereby appointed and designated as the person who shall make certificates as to liabilities for assessments for municipal improvements pursuant to N.J.S.A. 54:5-18.1 during the calendar year **2009**, to serve at the pleasure of the Township Committee.

**RESOLUTION #2009-15
UNION TOWNSHIP, HUNTERDON COUNTY
APPOINTMENT OF PUBLIC AGENCY COMPLIANCE OFFICER 2009**

WHEREAS, Union Township has been advised by the Department of Treasury, Affirmative Action Office, that it is necessary to appoint a Public Compliance Officer, (P.A.C.O.); and

WHEREAS, this is an annual appointment – this appointment will be for calendar year **2009**;

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, to appoint Ella Malecki Ruta, to this office as this individual has a knowledge of the professional services and procurement contracts entered into by Union Township.

**RESOLUTION #2009-16
UNION TOWNSHIP, HUNTERDON COUNTY
FEE COMPUTER “PRINT OUT”/TAX COLLECTOR’S OFFICE**

WHEREAS, there are additional costs for equipment and man-hours to generate individual “print outs” of tax payments on block and lots in Union Township, through the Tax Collector’s Office;

BE IT RESOLVED, by the Township Committee of Union Township, to set the fee for each document at \$.75 per block and lot;

NOW, THEREFORE, BE IT RESOLVED, that requests for these documents be made to the Tax Collector, in writing, along with the appropriate fee. The Tax Collector will provide such services within two (2) business days.

RESOLUTION #2009-17
UNION TOWNSHIP, HUNTERDON COUNTY
RESOLUTION ESTABLISHING A CIVIL RIGHTS POLICY AND A POLICY AGAINST DISCRIMINATION
WITH RESPECT TO HIRING AND EMPLOYMENT OF
UNION TOWNSHIP EMPLOYEES – 2009

WHEREAS, the Township of Union finds and declares that the practices of discrimination against the inhabitants of this municipality and of the State of New Jersey because of race, creed, color, national origin, ancestry, age, sex or marital status are a matter of concern to the government of this municipality, and that such discrimination threatens not only the rights and proper privileges of the inhabitants of this municipality and of the State of New Jersey, but menaces the institutions and foundations of a free democratic state; and

WHEREAS, all persons should have the opportunity to obtain employment without regard to race, creed, color, national origin, ancestry, age, sex or marital status, subject only to conditions and limitations applicable alike to all persons;

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

1. Union Township is an equal opportunity employer.
2. Union Township shall not discriminate against any employee or applicant for employment because of race, creed, color, national origin, ancestry, age, sex or marital status.
3. All employees of Union Township shall be treated equally during employment without regard to their race, creed, color, national origin, ancestry, age, sex or marital status. Such action shall include but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay or other forms of compensation and selection for training, including apprenticeship.
4. Union Township, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of said Township, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, national origin, ancestry, age, sex or marital status.
5. All of the provisions of this resolution shall be construed to prohibit any unlawful discrimination against any person because of the physical handicap of such person or any unlawful employment practice against such person unless the nature and extent of the handicap reasonably precludes the performance of the particular employment.
6. The Township Clerk is herein designated as the official designated to oversee and insure compliance with the Civil Rights policy as herein established.

RESOLUTION #2009-18
UNION TOWNSHIP, HUNTERDON COUNTY
DRUG-FREE WORKPLACE POLICY – 2009

The following policy is adopted in order to provide a drug-free workplace environment within the Township of Union:

1. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on Township grounds. Any violation of this policy will subject the employee to appropriate personnel action, up to and including termination.
2. The Township Clerk shall establish a drug-awareness program, including distribution to each employee of the policy statement.
3. The employee shall notify the Township Clerk, in writing, of any criminal drug statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction. The Township Clerk shall, in turn, immediately send notification to the Township Committee.

4. The Township Committee shall take one of the following action, within 30 calendar days of receiving notice under Paragraph 3, with respect to any employee who is so convicted:

Taking appropriate personnel action against such an employee, up to and including termination; or

Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

RESOLUTION #2009-19
UNION TOWNSHIP, HUNTERDON COUNTY
FIXING FEE FOR ON-SITE INSPECTION OF FARM ASSESSED PROPERTIES

WHEREAS, the Farmland Assessment Act of 1964 has been amended to provide that application review for properties applying for farmland assessment shall include an on-site inspection of the land at least once every three (3) years; and

WHEREAS, said statute provides that the Municipality may impose a fee for an on-site inspection of not more than \$25.00, except that contiguous and non-contiguous parcels of land owned by the same owner would be subject to a single fee; and

WHEREAS, it is necessary for Union Township to set a fee for such farmland on-site inspections for the year **2009**;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County, New Jersey, that the fee to be imposed for an on-site inspection in connection with application review for farmland assessed properties pursuant to the Farmland Assessment Act of 1964 shall be \$25.00 per inspection, except that contiguous parcels of land owned by the same owner shall be subject to a single fee;

BE IT FURTHER RESOLVED, that such fee shall be paid by the property owner to the Township of Union every three years at the time of filing of the application for farmland assessment pursuant to the Farmland Assessment Act of 1964, and prior to the on-site inspection by the Municipal Assessor or his/her designee.

Motion was made by Mr. Mazza, seconded by Mr. Haynes, to adopt the Consent Agenda, Resolutions #2009-14 through 19. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

Mr. Severino proposed that the service charge for returned checks for insufficient funds be increased from \$20.00 to \$35.00. The following resolution was presented for adoption:

RESOLUTION #2009-13
UNION TOWNSHIP, HUNTERDON COUNTY
SERVICE CHARGE FOR CHECKS RETURNED – 2009

WHEREAS, N.J.S. 40:5-18(a) provides that the governing body of a Municipality may provide, by resolution or ordinance, for the imposition of a service charge to be added to any account owing to the Municipality, if payment tendered on the account was by a check or other written instrument which was returned for any reason; and

WHEREAS, N.J.S. 40:5-18(b) provides that whenever an account owing to a municipality is for a tax or special assessment, the service charge authorized by this section all be included on whatever list of delinquent accounts is prepared for the enforcement of the lien;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, that the service charge for a check or other written instrument returned for any reason is hereby determined and set at **\$35.00** per check or other written instrument, pursuant to statute; and

BE IT FURTHER RESOLVED, that any service charge authorized by this section shall be collected in the same manner prescribed by law for the collection of the account for which the check or other written instrument was tendered. In addition, the governing body may require future payments to be tendered in cash or by certified or cashier's check.

Mr. Severino made a motion to adopt above resolution. Mr. Mazza seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

Mayor Dziubek asked that each member of the Committee be delegated as a liaison to various Sub Committees. She presented the following Re-organization Subcommittee and Liaison assignments:

Mayor Dziubek: Personnel, Signing Vouchers, Liaison to the County, Scenic Byway Liaison.

Deputy Mayor Severino: Recycling, Liaison to DOT/Transportation, Stewardship/Environmental Liaison, Building and Grounds.

Committeeman Robert Haynes: Construction Dept., Wastewater Management, COAH Subcommittee.

Committeeman Frank Mazza: Road Dept., Agricultural Advisory Comm., Parks/Recreation Comm., Alternate to Wastewater Management, Court Liaison.

Committeeman William Bischoff: Signing Vouchers, COAH Subcommittee, Wastewater Management, Court Liaison.

Mr. Bischoff made a motion to confirm above assignments as read by Mayor Dziubek. Mr. Haynes seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mr. Mazza. Motion carried.

Mrs. Dziubek thanked Committee members for their support and cooperation.

Mayor Dziubek noted for the record that due to a time constraint, she will not be performing marriages.

Deputy Mayor Severino stated that due to the same reason he will not be performing marriage ceremonies either.

ADJOURNMENT – Motion was made by Mr. Severino, seconded by Mr. Bischoff, to close the re-organization meeting at approximately 7:40 p.m. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mrs. Dziubek, Mazza. Motion carried.

Respectfully submitted,

Ella M. Ruta, RMC
Township Clerk