

CALL TO ORDER

Mayor Dziubek opened the meeting at 7:00 p.m.

ROLL CALL - Present: Rob Haynes, Matt Severino, William Bischoff, Frank Mazza, Patricia Dziubek

Absent: None

Others Present: J. Peter Jost, Esq., Grace Brennan, CFO, and Ella M. Ruta, Township Clerk.

“Sunshine Law” Announcement: Adequate notice of this public meeting has been provided by the Annual Notice; mailed electronically to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

FLAG SALUTE**APPROVAL OF MINUTES**

- a. Regular Meeting Minutes of January 21, 2009.

Mr. Bischoff asked that a sentence stating dollar estimate by Engineer Reymann for drainage repairs to Van Syckels/Coachman Corner be taken out of the meeting minutes. The estimated amount was not mentioned in the discussion.

Mrs. Dziubek corrected that the minutes should reflect year 2009 not 2008.

Mr. Bischoff made a motion to approve the said minutes including above corrections. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza and Mrs. Dziubek. Motion carried.

- b. Executive Session Meeting Minutes I & II of January 21, 2009.

Mr. Bischoff made a motion to approve the minutes as written. Mr. Severino seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza and Mrs. Dziubek. Motion carried.

VISITORS

- a. Paige DiRoberto – UT Farmland Preservation Plan Draft.

Ms. DiRoberto stated that the UT Farmland Preservation Plan was submitted to the State and the County for comments and recommendations. She said that the Land Conservancy of NJ, who prepared the draft, is looking for input from the Committee. After discussion, the Clerk was asked to contact Barbara Davis at the Land Conservancy to provide the Committee with a time schedule for final approval of the plan.

Mrs. Dziubek stated that the County Farmland Preservation Plan is on file in the Township Clerk’s office.

- b. Michele McBride - UTEC

Ms. McBride expressed the urgency for the Twp. Attorney to start working on the deed for Douglas property and RFP for Hoffman house. Atty. Jost apologized explaining that for the past few weeks he has been working on the litigation case. He said he will start working on those properties next week.

REPORTS RECEIVED

- a. Road Dept.- Week Ending 1/16/09; 1/24/09

Mr. Bischoff asked if Finn Park is open to the public. The answer was yes.

- b. Tax Collector – January 2009
c. Pattenburg Volunteer Fire Company – 2008 Year End Report
d. Environmental Commission – no report was submitted

CORRESPONDENCE

Mr. Bischoff mentioned the following correspondence:

- Letter from HC Engineer's Office regarding municipal participation in 2009 Surface Treatment program; Union Twp. does not participate.

At this time, Mayor Dziubek welcomed and introduced the Committee and the public to the newly appointed engineer, Mr. Kevin Smith, of Finelli Consulting Engineers.

- Memo from HC Planning Board regarding 2009 municipal allocation of HC Open Space Trust Fund. Mr. Bischoff asked if the money could be used to pay down the debt. Atty. Jost answered in affirmative.
- Letter from HC Administrator regarding 2009-10 PARIS Grant. Mrs. Dziubek said the Township is participating.
- Letter from Tilcon New York, Inc. regarding contract awarded to them for the Morris Cty. CO-OP 2009 Season. Mr. Haynes explained.

Mr. Severino mentioned the following correspondence:

- Report from Hunterdon Humane Animal Shelter; 2008 Annual Activity for UT.

Mr. Mazza mentioned the following correspondence:

- Letter from NJ DOT addressed to the Township Engineer with regard to Pilot Travel Centers, LLC. Mr. Mazza voiced his concern about whose jurisdiction Pilot would be under when construction starts. Issue was briefly discussed.

Mr. Haynes mentioned the following correspondence:

- Mayors Fax Advisory from NJLM on Charitable Clothing Bins, Chapter 209. Mr. Haynes recommended that the Township comply with new regulations. The Clerk was asked to forward that correspondence to the Zoning Officer, Mr. McManus.

Mrs. Dziubek mentioned the following correspondence:

- Pension Payment Deferral letter from NJLM.
- Updated the public on the 2009 Budget issues, one of them being pension payment deferral. Mrs. Dziubek also said that other areas the Committee is going to examine closely are parks, construction, court and health insurance. Mrs. Dziubek also stated that the Township will continue deferring school taxes.
- Next budget meeting is scheduled for February 20, 2009 at 6:00 pm.

PUBLIC COMMENTS

- Paige DiRoberto, 55 Cooks Cross Road complimented the Committee on the new single stream recycling. Mr. Severino said that recycling containers in two sizes are available to residents who wish to take them.

PUBLIC HEARING – 2nd reading - None
OLD BUSINESS

- a. The following resolution was introduced for adoption:

**RESOLUTION 2009-
 Animal Control Service Contract**

Mrs. Dziubek stated that the contract will be discussed in Executive Session this evening.

- b. Request from Construction Office – New Software Program for Permits.

Mrs. Dziubek suggested that this request will be discussed at the budget meeting.

- c. Discussion – Organizational Chart for UT Municipal Offices

Mayor Dziubek said that revisions/suggestions by Mr. Bischoff and Mr. Haynes were submitted. She said they would be incorporated in the final draft of the chart. Mrs. Dziubek asked the Twp. Engineer for a flow chart between building/construction, zoning, planning, tax assessors and engineering offices.

- d. Discussion – Bus Shelter at the Brass Castle Estates.

Mayor Dziubek stated that the formal request from Brass Castle Assn. to remove bus shelter was brought before the Committee. The formal letter to the Planning Board was then forwarded asking their advice. The Committee is waiting for a response from the Planning Board. Mr. Bischoff read excerpts from the Planning Board resolution with regard to bus shelter. Issue was briefly discussed. Atty. Jost will follow up.

- e. Motion – Payment approval for repairs to the drainage on Van Syckle Corner Rd & Coachmen Drive.

Mr. Bischoff clarified facts regarding the above matter. After a short discussion, the Committee agreed to table the issue until the next Committee meeting. Mr. Mazza will further check into it.

NEW BUSINESS

- a. The following resolution was introduced for adoption:

**Resolution #2009-43
 UNINON TOWNSHIP, HUNTERDON COUNTY
 PROCLAMATION
 SUPPORT OUR TROOPS DAY ON APRIL 19, 2009 IN UNION TOWNSHIP**

WHEREAS, on September 11, 2001, thousands of Americans and citizens of eighty countries were killed in a terrorist attack on the United States; and

WHEREAS, America has responded to the terrorist attack by leading an international effort to end

terrorism; and

WHEREAS, victory in battle against terrorism will be achieved due to the courage, sacrifice, and commitment of Americans, principally the men and women in the United States Armed Forces; and

WHEREAS, our troops are now engaged in armed conflict in Afghanistan and Iraq; and

WHEREAS, the Union Township Committee and all Union Township residents, regardless of whether they support the foreign policy of any administration, believe in providing a compassionate and supportive community for residents of the Township in all branches of the Armed Forces, the Reserves and those called to perform homeland security duties, as well as the families and friends of those serving; and

WHEREAS, the Union Township Committee and residents of Union Township exercise a patriotic duty by acknowledging the fathers, mothers, sons and daughters of the Township, and from every corner of the United States and allied nations, who heroically defend our country.

NOW, THEREFORE BE IT RESOLVED, that April 19th is declared, **SUPPORT OUR TROOPS DAY IN UNION TOWNSHIP** and the Township Committee and Township residents are encouraged to show the community’s unwavering commitment to honor members of the Armed Forces for their courageous and patriotic duty in defending our country, its freedoms, and way of life.

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

b. The following resolution was introduced for adoption:

**RESOLUTION #2009 - 44
UNION TOWNSHIP, HUNTERDON COUNTY
AUTHORIZING CONTRACT FOR LEGAL SERVICES/PLANNING BOARD 2009
Woolson Sutphen Anderson & Nergaard/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

WHEREAS, funds are available; 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 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 or candidate 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 William r. Sutphen, Esq., for legal services/Panning Board for 2009.
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 2009 temporary and permanent Municipal budgets.
4. A Notice of this action shall be printed once in the official newspaper.

Date: February 04, 2009

**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 2009 Temporary/Adopted Budget to award a contract to Mark Anderson, Esq., under the line item "_____".

Date: _____

Grace M. Brennan, CFO

Mr. Bischoff made a motion to adopt the above resolution subject to the Twp. Atty. review. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza. Mrs. Dziubek. Motion Carried.

c. The following resolution was introduced for adoption:

**RESOLUTION #2009-45
UNION TOWNSHIP, HUNTERDON COUNTY
2009 WEBSITE MANAGEMENT AND MAINTENANCE SERVICE CONTRACT**

WHEREAS, there exists a need for management and maintenance of an official Township of Union website; and

WHEREAS, the Township has provided funds for such services and said funds have been certified as being available by the Certified Finance Officer; and

WHEREAS, the Fitting & Zidd Internet Marketing Agency is a professional company offering website management services and has expressed a willingness to offer said services;

THEREFORE, be it resolved by the Township Committee of the Township of Union to enter into Contract with The Fitting & Zidd Internet Marketing Agency for the 2009 calendar year.

Date: February 4, 2009

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, as Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds to award a contract to The Fitting & Zidd Internet Marketing Agency as appropriated in the 2009 Temporary/Adopted Budget.

Date: _____

Grace M. Brennan, CFO

Mr. Mazza made a motion to adopt the above resolution subject to the Twp. Atty. review. Mr. Bischoff seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza. Mrs. Dziubek. Motion Carried.

d. The following resolution was introduced for adoption :

**RESOLUTION #2009-46
UNION TOWNSHIP; HUNTERDON COUNTY
RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2009
John W. Thatcher, Esq., Special Counsel**

WHEREAS, the Township of Union has a need to acquire legal services 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

WHEREAS, funds are available in an appropriation entitled Legal Services and Costs, Other Expenses and have been certified by the local finance officer; and

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

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

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with John W. Thatcher, Esq. of John W. Thatcher, LLC a Professional Corporation, 39 Main Street, Clinton, New Jersey 08809 for legal services for 2009.
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 because John W. Thatcher, Esq. is an attorney at Law of the State of NJ in good standing and is a person authorized to practice a recognized profession.

3. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the 2009 temporary/adopted municipal budget(s).

4. A Notice of this action shall be printed once in the official newspaper of this municipality.

Date: February 4, 2009

CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, CFO of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2009 Temporary/Adopted Budget to award a contract to John W. Thatcher, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

Mr. Bischoff made a motion to adopt the above resolution subject to the Twp. Atty. review. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza. Mrs. Dziubek. Motion Carried.

e. The following resolution was introduced for adoption:

**RESOLUTION #2009-47
UNION TOWNSHIP; HUNTERDON COUNTY
RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2009
William Brinton Esq. – Special Counsel**

WHEREAS, William D. Brinton, Esq. and Roger Towers, PA (“Contractor”)has been appointed as Special Counsel for the Township of Union, Hunterdon County, New Jersey,(“Municipality”) for the calendar year 2009; and

WHEREAS, the Municipality and the Contractor wish to have a written agreement as to services to be rendered and fees to be charged;

NOW THEREFORE, BE IT AGREED this day of April 2009 by and between the Municipality and the Contractor as follows:

1. Purpose and Scope of Work: Contractor agrees to provide services to the Municipality as set forth in the engagement letter attached hereto as Exhibit A and made part hereof.
2. Professional Service: In order to insure that the retention of the Professional by the Township constitutes a professional service, as that term is defined under the New Jersey local Public Contracts Law, Contractor represents (1) the services are being rendered and performed by a person authorized by law to practice a recognized profession, (2) the practiced is regulated by law and (3) the performance of the service requires knowledge of an advance type in a field of learning acquired by a prolonged, formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training.
3. Conflict of Interest: The Contractor represents that it is not employed or retained and will not be rendering services for an individual, company, municipality or other entity which would create a conflict of

interest by virtue of the services to the Contractor is now rendering for the Township of Union under the terms of this Agreement. Moreover, the Contractor represents and acknowledges that all information, strategies, positions, etc. will not be disseminated to any third party.

4. Terms of Contract: This contract shall be effective for the period January 1, 2009 through December 31, 2009. Funding for the first ninety (90) days of this contract has been appropriated by the governing body pursuant to the 2009 temporary municipal budget. This contract shall be subject to availability and appropriation of sufficient funds as may be required in the 2009 permanent municipal budget.

5. Appropriation; Compensation: The maximum amount of fees and compensation under this agreement shall not exceed the amount to be appropriated for legal services during the term of this agreement or as said amount may be amended by the governing body. Invoices shall be submitted by the Contractor to the Municipality with vouchers in accordance with applicable laws, regulations and ordinances regarding public contracts and payment claims.

6. Professional Liability Insurance: The Contractor shall maintain, during the full term of this Contract, policy of professional liability insurance in the amount satisfactory to the Township, insuring the Township against errors and omissions in connection with work performed by the Contractor.

7. Political Contribution Disclosure: This contract has been awarded to Contractor based on the merits and abilities of Contractor to provide the goods and services as described herein. This contract was not awarded through a "fair and open" process pursuant to N.J.S.A. 19:44A-20.4 *et seq.* As such, the undersigned/above signed does hereby attest that Contractor its subsidiaries, assigns or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement commission pursuant to N.J.S.A.19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c.19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of the contract to any political party committee in the municipality if a member of that political party is serving in an elective public office of that municipality when the contract is awarded, or to any candidate committee of any person serving in an elective public office of that municipality when the contract is awarded.

8. Affirmative Action: Contractor agrees to comply with the terms and conditions of Exhibit B, Mandatory Affirmative Action Language and Affirmative Action Plan/Report Filing Information, which are attached to and made part of this contract.

9. Exhibit C (Business Registration Certificate), Exhibit D (Business Entity Disclosure Certification) and Exhibit E (Political Contribution Disclosure Form) attached to and made part of this contract.

10. Assignment: This contract shall not be assigned.

11. A Notice of this action shall be printed once in the official newspaper of this municipality.

Date: February 4, 2009

CERTIFICATION AS TO AVAILABILITY OF FUNDS

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 *et seq.*, I, Grace M. Brennan, CFO of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2009 Temporary/Adopted Budget to award a contract to William D. Brinton, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

Mr. Bischoff made a motion to adopt the above resolution subject to the Twp. Atty. review. Mr. Severino seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza. Mrs. Dziubek. Motion Carried.

f. The following resolution was introduced for adoption:

**RESOLUTION #2009-48
UNION TOWNSHIP, HUNTERDON COUNTY
2009 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES
Kevin M. Smith, P.E.; Finelli Consulting Engineers, Inc.**

WHEREAS, the Township of Union has a need to acquire engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A.19:44-A-20.5; and

WHEREAS, the Chief Financial Officer has determined that the value of the services will exceed \$17,500; and

WHEREAS, the firm of Finelli Consulting Engineers, Inc., 205 Route 31 North, Washington, NJ 07882, has completed and submitted a Business Entity Disclosure Certification which certified that Finelli Consulting Engineers, Inc. has not made any reportable contributions to a political or candidate committee in the township of Union in the previous one year, and that the contract will prohibit Finelli Consulting Engineers, Inc. from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT AGREED by and between the Township of Union and Finelli Consulting Engineers, Inc. as follows:

1. The Engineer shall be compensated at the hourly rate for all engineering services rendered as needed or requested by the Township Committee, Planning Board/Board of Adjustment, or other Township agencies.
2. Engineering services may be performed for the Township by other principals and employees of the firm of Finelli Consulting Engineers, Inc. under the direct supervision of Kevin M. Smith, P.E., when Kevin M. Smith, P.E. is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from February 1, 2009, to December 31, 2009.
4. The Township Engineer agrees that no services are to be performed unless specific approval is granted by an appropriate Township official either verbally or in writing.
5. An Affirmative Action Employee Information Report is attached and is part of this agreement. In addition, a copy of Exhibit A, Mandatory Affirmative Action Language, and business Disclosure Entity Certification and the Determination of Value are attached and also part of this agreement.
6. Finelli Consulting Engineers, Inc. will carry, at its expense, during the appointment period professional liability insurance.
7. If any provision or part thereof of this agreement is held to be void or unenforceable under any law and shall be deemed stricken all remaining provisions shall nevertheless continue to be valid and binding upon the parties. The parties agree that this agreement shall be reformed to replace such stricken provision or part

thereof with a valid and enforceable provision which comes as close as possible to expressing the intention of the stricken provision.

8. A notice of this action shall be printed once in the official newspaper.

Date: February 4, 2009

CERTIFICATION AS TO AVAILABILITY OF FUNDS

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 2009 Temporary/Adopted Budget to award a contract to Finelli Consulting Engineers, Inc., under the line item "Engineering".

Date: _____
Grace M. Brennan, CFO

Mr. Mazza made a motion to adopt the above resolution subject to the Twp. Atty. review. Mr. Bischoff seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza. Mrs. Dziubek. Motion Carried.

g. The following resolution was introduced for adoption:

**RESOLUTION #2009-49
PARIS Grants Program
Township of Union Municipality for
Shared Services with Hunterdon County**

Be it resolved by the Township Committee of the Township of Union, THAT:

WHEREAS, the State of New Jersey has launched its pioneering Public Archives and Records Infrastructure Support (PARIS) grant program to meet the strategic records management, preservation, and storage needs of county and municipal governments; and

WHEREAS, a top priority of the PARIS grants program is to achieve efficiencies of cost and operation through shared services and to create a service structure for municipalities and County governments; and

WHEREAS, in the 2009-10 grant cycle, priority funding will be given to county projects to perform municipal inventories, needs assessments and strategic plans for all of their municipalities; and

WHEREAS, the Township of Union desires to collaborate with the Hunterdon County in the Performance Records Reorganization, Inventory and Purging Continuation Project; and

WHEREAS, the Township of Union is acknowledging that their eligible funds in the amount of **\$40,000.00** will be leveraged with Hunterdon County; and

WHEREAS, the Township of Union is acknowledging that any balance of leveraged monies will be utilized by the County for the purpose of the completion of the County Records Center PARIS grant expansion project and or other PARIS/County approved initiatives; and

WHEREAS, the Township of Union is acknowledging that Hunterdon County would be both the lead agency and the applicant for such a proposal: and

WHEREAS, the Township of Union is acknowledging the State is the final determination of the 2009/2010 PARIS grant program and projects and agrees not to hold the County responsible for the application, project and funding award as determined by the State of New Jersey PARIS grant program for the Township of Union and the purposes set forth above; and

NOW, THEREFORE, BE IT RESOLVED by the Committee of the Township of Union, that the Township of Union does support and commit to cooperation and participation in the PARIS grant for the purposes set forth above, and to execute and deliver all documents required incident thereto.

ADOPTED by the Township Committee of Township of Union at a meeting held on February 4, 2009.

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

h. The following resolution was introduced for adoption:

**RESOLUTION #2009-50
UNION TOWNSHIP; HUNTERDON COUNTY
SUPPORT AND PARTICIPATE IN THE VOLUNTEER TUITION CREDIT PROGRAM (P.L.
1988, c.145)**

WHEREAS, the Township Committee of the Township of Union in the County of Hunterdon, deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Township of Union; and

WHEREAS, the State of New Jersey has enacted P.L. 1998, c 145 which permits municipal governments to allow their fire fighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost the municipal government.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union in the Hunterdon County, that the Volunteer Tuition Credit Program as set forth in P.L. 1988, c.145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the Township of Union; and

BE IT FURTHER RESOLVED, that the Township Clerk will maintain files of all documents as may be required under the P.L. 1998, c. 145; and

BE IT FURTHER RESOLVED that the Pattenburg Volunteer Fire Company and Pattenburg Rescue Squad would be responsible for the record keeping and certify to the Township of Union Committee the eligibility of each student; the Municipal Certification will be brought before the Township Committee at which time the Mayor may be authorized to execute same.

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

i. The following resolution was introduced for adoption:

**RESOLUTION #2009-
UNION TOWNSHIP; HUNTERDON COUNTY**

PERFORMANCE GUARANTEE BOND RELEASE FOR GRAND COLONIAL

Atty. Jost briefly explained situation at the Grand Colonial. The above resolution was tabled until next Committee meeting.

- j. **Motion to approve** – Application for Special Permit for Social Affair – Hunterdon Medical Center.

Mr. Severino made a motion to approve above application. Mr. Mazza seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza. Mrs. Dziubek. Motion Carried.

NEW ORDINANCE – 1ST Reading – None**REPORTS**

- a. **Engineer's Report** – a written copy of the report has been submitted with following topics
- Highland Plan Conformance
 - Pilot Travel Center, LLC
 - Meeting with NJ DOT is scheduled for February 6th at 3:00 pm. Township representative will attend
 - Grand Colonial – Maintenance Guarantee Bond
 - Mr. Bischoff stated that he attended a meeting with Mr. Balzano and Mr. Hintz to discuss Highlands Conformance Plan. He further said that the Twp. Engineer will be greatly involved in that process.
- b. **Attorney's Report**
- Received an email from Rick Roseberry at Maser Consulting asking if the Committee would like him to continue reviewing driveway permit applications at the Toll Brothers development. The Committee agreed that Maser Consulting should finish the project. It is almost finished. Engineer Smith will contact Mr. Roseberry regarding this matter.
 - Mrs. Dziubek asked if Atty. Jost has any information regarding 2009 appointment of the Deputy Tax Collector. Atty. Jost stated that there is no statutory requirement for a deputy tax collector, nor are there any Townships ordinances establishing the position. Atty. Jost will continue looking into the matter and report back at the next meeting.
- c. **Mayor's Report**
- 2009 update to the Township's OEM Manual
 - Animal Control Contract will be discussed in Executive Session
 - Attended Mayors Summit at the County. Topics of the Summit were Open Space, Recreation, Farmland and Historic Preservation Program. Finances for those programs are very limited, Mrs. Dziubek added.
 - Organizational chart will be revised and ready for the next meeting. Holiday hours will be discussed at the time of working on 2009 budget.
- d. **Committee Report**

Mr. Bischoff reported the following: no report

Mr. Severino reported the following: no report

Mr. Mazza reported the following:

- Received a request from the Road Dept. Foreman, Craig Hermann to purchase parts for snowplows. He estimated the cost would be \$3,500.00.

Mr. Severino motioned to approve purchase of various snowplow parts, as requested by Foreman Hermann, subject to availability of funds. Mr. Bischoff seconded the motion. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

Mr. Bischoff made a motion to amend above motion regarding the amount spent. It shall not exceed \$3, 500.00. Mr. Severino seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

Mr. Haynes reported the following: no report

e. Clerk's Report

- Raffle License #2009-2 Greek Orthodox Parish of HC; 50/50 On Premise; 02/27/09
- Raffle License #2009-3 Warren Hospital Foundation; 50/50 Off Premise; 04/18/09
- Raffle License #2009-4 Friends of Anderson House, Inc.; On Premise Merch.; 04/20/09
- Raffle License #2009-5 Friends of Anderson House, Inc.; 50/50 On Premise.; 04/20/09
- Raffle License #2009-6 Friends of Anderson House, Inc.; Off Premise Merch.; 04/20/09
- Raffle License #2009-7 Hunterdon Medical Center Fndt. ; 50/50 On Premise; 04/03/09
- Raffle License #2009-8 Ducks Unlimited Inc.; On Premise Merch.; 03/20/09
- Raffle License #2009-9 Ducks Unlimited Inc.; 50/50 On Premise; 03/20/09

Mr. Severino made a motion to approve raffle licenses #2009-2 through #2009-9 inclusive. Mr. Bischoff seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

PUBLIC COMMENTS - None
PAYMENT OF THE BILLS

Mr. Haynes moved that all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof. Mr. Severino seconded. Vote: Ayes - Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

The following resolution was introduced for adoption:

EXECUTIVE SESSION

The following resolution was introduced for adoption:

RESOLUTION #2009 - 51

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:

7. _____ *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 Executive session on February 4, 2009 at 8:27 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.

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

At 9:04 p.m., Mr. Severino made a motion to come out of the Executive Session. Mr. Mazza seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Bischoff, Mr. Mazza, Mrs. Dziubek. Motion Carried.

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 9:05 p.m.

Respectfully submitted,

Ella M. Ruta, RMC
Municipal Clerk