

**CALL TO ORDER**

Deputy Mayor Severino opened the meeting at 7:00 p.m.

**ROLL CALL** - Present: Rob Haynes, Matt Severino, Frank Mazza

Absent: Mr. Bischoff, Mrs. Dziubek

Others Present: J. Peter Jost, Esq., 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. Special Meeting Minutes – Budget Workshop of February 2, 2009.

Mr. Mazza made a motion to approve the said minutes. Mr. Severino seconded the motion. Vote – Ayes: Mr. Severino, Mr. Mazza. Abstained: Mr. Haynes. Motion carried.

- b. Regular and Executive Session Meeting Minutes of February 4, 2009.

Mr. Mazza made a motion to approve the said minutes. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Mazza. Motion carried.

**VISITORS****REPORTS RECEIVED**

- a. Road Dept.- Week Ending 1/30/09; 2/06/09

Mr. Mazza mentioned that the Gravel Hill Road is temporarily closed due to a soft surface until further notice.

- b. Construction Dept. – January 2009  
c. UT Municipal Court – January 2009  
d. Environmental Commission – February 10<sup>th</sup> Agenda

**CORRESPONDENCE**

Mr. Haynes mentioned the following correspondence: none

Mr. Mazza mentioned the following correspondence:

- Letter regarding financial assistance for 2009 from High Bridge Fire Dept. Request will be considered at the Budget Workshop Meeting.

Mr. Severino mentioned the following correspondence:

- Request to proclaim March 8-14 as Girl Scouts Week from Girl Scouts Heart of New Jersey.

The following resolution was introduced for adoption:

**RESOLUTION #2009-52  
PROCLAMATION TO RECOGNIZE  
MARCH 8-14, 2009 AS GIRL SCOUTS WEEK**

Whereas March 8-14, 2009 marks Girl Scout Week as designated by Girl Scouts of the USA, a movement founded in 1912 by Juliette Gordon Low in Savannah, Georgia; and

Whereas, throughout its long and distinguished history, Girl Scouting has inspired more than 50 million girls and women to strive for the highest ideals of courage, confidence and character; and

Whereas, through Girl Scouts, girls grow strong, gain self-confidence, develop leadership skills and learn the lifelong lesson of contributing back to their communities; and

Whereas Girl Scouting helps girls achieve their potential by increasing awareness of opportunities which exist in the fields of math, science, sports, technology and other professional pursuits; and

Whereas the Girl Scouts Heart of New Jersey was formed in 2008 and is capably delivering the optimal Girl Scout experience to over 28,000 young women and adults in Essex, Hudson, Hunterdon, Middlesex, Somerset, Union and Warren counties;

Whereas more than 3.8 million Girl Scouts nationwide, including in excess of 100,000 in the State of New Jersey, join in celebrating and rejoicing in this great American tradition,

Now, therefore, the Township Committee of the Township of Union in Hunterdon County, State of New Jersey do hereby proclaim March 8-14 as Girl Scout Week.

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

**PUBLIC COMMENTS**

- Michele McBride and Steve Eichlin spoke with regard to selling/leasing the Douglas Farm and restoring and/or demolishing building on the Hoffman farm. Ms. McBride said she was seeking the Twp. Atty's help. Both properties were briefly discussed. Mr. Jost stated that he will be contacting her in the very near future.

**PUBLIC HEARING** – 2<sup>nd</sup> reading - None

**OLD BUSINESS**

- a. The following resolution was introduced for adoption:

**RESOLUTION 2009-  
Animal Control Service Contract**

Due to Mrs. Dziubek's absence, it was tabled until the next Committee meeting

- b. **RESOLUTION #2009-** : Release of the Performance Guarantee Bond for Grand Colonial

Atty. Jost stated that the Grand Colonial had been contacted regarding the matter. The Township is waiting for them to post a maintenance bond. Tabled until the maintenance bond is posted.

- c. Discussion – Organizational Chart for UT Municipal Offices

Discussion tabled until the next Committee meeting.

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

Discussion tabled until the next Committee meeting.

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

**Mr. Mazza made a motion to approve \$8,580.00 for repairs to the drainage on Van Syckel’s Corner Rd and Coachman Drive, as previously estimated and confirmed by the Twp. Engineer. Mr. Haynes seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Mazza. Motion Carried.**

**NEW BUSINESS**

- a. The following resolution was introduced for adoption:

**RESOLUTION #2009-53  
UNION TOWNSHIP; HUNTERDON COUNTY  
TONNAGE GRANT APPLICATION**

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants for calendar year **2008** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Union, Hunterdon County to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, hereby endorses the submission of the recycling tonnage grant application to the New

Jersey Department of Environmental Protection and designates William Garrison to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

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

b. The following resolution was introduced for adoption:

**RESOLUTION 2009-54  
ESCROW REFUND  
Parisi Building**

WHEREAS, Parisi Building did post an escrow account for a Fox Chase Development, and

WHEREAS, the work and inspections are complete and all invoices have been paid,

WHEREAS, there is a remaining balance of \$5,943.15 in the escrow account

NOW, THEREFORE, BE IT RESOLVED that the balance of this escrow account, in the amount of \$5,943.15 be refunded to Parisi Building.

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

c. The following resolution was introduced for adoption:

**RESOLUTION #2009-55  
UNION TOWNSHIP; HUNTERDON COUNTY  
TAX REFUND**

WHEREAS, there exists for a refund of taxes for the following:

BLOCK	LOT	QUALI-FIER	NAME	AMOUNT
11.01	13		Xiaoqi Wang & Xiaoli Qi	\$4,302.87

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the 2009 refund(s) be paid to the above stated name(s) or designee and that the Treasure of the Township of Union is hereby authorized to issue a check in the stated amount(s).

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

d. **Motion to Approve** – Application for use of Public Facilities – Union Twp. Seniors

Mr. Haynes made a motion to approve the request of the UT Senior Group for use of the Union Twp. Municipal building until April 1, 2009 and starting again on November 1, 2009 until December 31, 2009. New application has to be submitted if the same need arises in the year 2010. Mr. Mazza seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Mazza. Motion Carried.

e. **Motion to Approve** – Contract with Icon to Lease Two Copiers

Mr. Haynes made a motion to approve renewal of the lease contract for two copiers at the municipal building. The contract with Icon Office Solutions would be extended for additional four years, subject to the Twp. Atty. review. Mr. Mazza seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Mazza. Motion Carried.

NEW ORDINANCE – 1<sup>ST</sup> Reading – ITEM ADDED TO THE AGENDA

**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 18<sup>th</sup> day of February, 2009. 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 18<sup>th</sup> day of March, 2009, 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.

#### ORDINANCE NO. 2009-1

#### AN ORDINANCE REGARDING THE POSITIONS OF ZONING OFFICER, CERTIFIED RECYCLING COORDINATOR AND ANIMAL CONTROL OFFICER IN THE TOWNSHIP OF UNION, HUNTERDON COUNTY, STATE OF NEW JERSEY

**BE IT ORDAINED AND ENACTED** 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 is hereby amended as follows:

- I. Section 2-16, Recycling Coordinator, is hereby deleted.
- II. Section 16-1.3 b. is hereby amended to read as follows:

#### **16-1.3 Position of Township Recycling Coordinator Established.**

- a. (no change)
- b. The Township Recycling Coordinator shall be appointed by the Township Committee and shall serve a term of one (1) year. The Township Committee shall annually affirm in writing the name of the person holding the position of Township Recycling Coordinator.

- III. Section 2-17 is hereby amended to read as follows:

#### **2-17 Zoning Officer.**

**2-17.1 Position Established.** The position of Zoning Officer is hereby established. The Zoning Officer shall be appointed for a term of one (1) year.

The Zoning Officer shall have all powers and duties set forth in Section 30-12.2 of the Union Township Code, and as otherwise provided by law.

IV. Section 2-18 is hereby amended to read as follows:

**2-18 Animal Control Officer.**

**2-18.1 Position Established.** The position of Animal Control Officer is hereby established. The Animal Control Officer shall be appointed for a term of one (1) year. The Animal Control Officer shall have all powers and duties prescribed by New Jersey law.

V. **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.

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

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

Mr. Haynes made a motion to adopt the above ordinance on 1<sup>st</sup> reading. Mr. Mazza seconded the motion. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Mazza. Motion Carried.

**REPORTS**

a. **Engineer's Report** – not present for the meeting, but a written copy of the report has been submitted with following topics:

- Highland Plan Conformance
- Van Syckle's Road Drainage Improvements
- Temporary Closing of Gravel Hill Road

b. **Attorney's Report**

- Atty. Jost mentioned that Pilot Travel Centers is looking for a Developer's Agreement. They would like to start construction on the site.
- Atty. Jost said that he is going to prepare a resolution to refund an escrow account in the amount of \$40,000.00 to K. Hovnanian regarding Milligan Farm/Environmental.

c. **Mayor's Report** - Absent

d. **Committee Report**

Mr. Haynes reported the following: no report

Mr. Mazza reported the following:

- Request from Pattenburg Fire Co. to borrow the Township Road Dept.'s, while Tanker/Pumper Fire Truck is being repaired. The truck was donated to the Township 5 years ago. Mr. Mazza asked the Pattenburg Fire Chief to put in a written request for approval at the next Committee meeting.

- Has matters for Executive Session.

Mr. Severino reported the following:

- Reported that Mr. Mazza was contacted by the State Police regarding property on Woods Edge Court. Eleven cats were found inside the house and many more running outside. Mr. Mazza and Mr. Severino then went to see the Police. They obtained a report and telephone number for the property attorney. Mr. Severino added that the Police had concerns regarding the house being not up to the code. Atty. Jost contacted the attorney representing the Estate. The Estate Atty. indicated that some of the cats have already been taken care of and the rest will be placed in appropriate facilities by next week. He also assured Mr. Severino that all problems with the property would be rectified as soon as possible.
- Mr. Severino stated that the new recycling program is averaging one 30-yard dumpster per week.

e. **Clerk's Report**

- Raffle License #2009-10; Acorn Montessori School; Casino Night; 04/25/09
- Raffle License #2009-11; Acorn Montessori School; Tricky Tray; 04/25/09
- Raffle License #2009-12 ; Acorn Montessori School; 50/50 On Premise; 04/25/09

Mr. Mazza made a motion to approve raffle licenses #2009-10 through #2009-12. Mr. Haynes seconded. Vote: Ayes – Mr. Haynes, Mr. Severino, Mr. Mazza. 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. Mazza seconded. Vote: Ayes - Mr. Haynes, Mr. Severino, Mr. Mazza. Motion Carried.

The following resolution was introduced for adoption:

**EXECUTIVE SESSION**

The following resolution was introduced for adoption:

**RESOLUTION #2009 - 56**

**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:

8. \_\_\_\_\_ *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of

the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, assembled in Executive session on February 18, 2009 at 8:01 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. Haynes made a motion to adopt the above resolution. Mr. Mazza seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Mazza. Motion Carried.

At 8:10 p.m., Mr. Haynes made a motion to come out of the Executive Session. Mr. Mazza seconded. Vote – Ayes: Mr. Haynes, Mr. Severino, Mr. Mazza. Motion Carried.

**Mr. Severino said that he was asked by Mayor Dziubek to appoint Mr. Chuck La Tournous as an Alternate I member to the UT Environmental Commission. It is a two-year appointment expiring on December 31, 2010. The position and term of the appointment was verified with Michele McBride, Vice Chairman on the UTEC.**

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

Meeting adjourned at approximately 8:12 p.m.

Respectfully submitted,

Ella M. Ruta, RMC  
Municipal Clerk