

1. CALL TO ORDER

Mayor McBride called the meeting to order at 7:00 p.m.

- 2. **"Sunshine Law" Announcement**-Adequate notice of this public meeting has been provided by the Annual Notice; posted on Union Township website, published in the Hunterdon County Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

3. FLAG SALUTE

4. ROLL CALL

	Present	Absent
Mr. Severino	X	
Mr. Mazza	X	
Mr. Hirt	X	
Ms. McBride	X	
Mr. Bischoff	X	

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

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of January 15, 2014.

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

Motion carried

6. VISITORS

7. REPORTS RECEIVED

- a. Dept. of Roads & Facilities- Week Ending 1/18/14; 1/26/14; 1/31/14; 2/10/14
 - b. OEM – January 2014 & February 2014
 - c. Zoning Officer – January 2014
 - d. Animal Control – January 2014
 - e. Municipal Court – January 2014
 - f. Engineer’s Report
- Update on Race St. guiderail. Order placed in January and following up.
 - Old Municipal Building demo. Gave overview of the current situation involving the removal of the asbestos flooring by a licensed contractor. Committee discussion followed.

Motion: To approve the change order to Yannuzzi for \$4,200.00 for asbestos tile removal as mandated by the State of New Jersey and as an emergence approval.

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

Motion carried

- The Municipal Building foundation drain - we found a contractor to work with and received a quote that is under the budget authorization.
- The Elizabethtown Gas Road Opening Permit, the Attorney had raised some questions about their insurance certificate and bonding.
- Cooks Cross Road. Update of the condition of the four sections of the road.
- Perryville 2A section. Gave an update of the plans from DOT re: 173 overlay. Discussion.

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Hirt reported the following correspondence: None

Mr. Severino reported the following correspondence:

- NJDOT re: No Passing Zone, Route NJ 173, Union Township, Hunterdon County with sample resolution to be adopted by the governing body.

The following resolution was presented for adoption:

**RESOLUTION #2014-27
TOWNSHIP OF UNION**

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently completed a traffic investigation on NJ Route 173 in Union Township; and

WHEREAS, NJDOT investigation revealed the current centerline pavement markings on NJ Route 173;

WHEREAS, NJDOT will update existing records to reflect current “No Passing Zone” conditions along NJ Route 173;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, County of Hunterdon, in the State of New Jersey, that it supports the use of a “No Passing Zone” on NJ Route 173 in Township of Union as recommended by NJDOT.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to NJDOT as requested.

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

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

Motion carried

- Bruce Cahoon, Resident Re: Early Noise Disturbance by Garbage Trucks. I will contact Raritan Valley Disposal to take care of it.
- NJ Bankers, Re: Maintenance of Vacant and Abandoned Properties. Called for details and it is an information product and we already received the information through other channels.

Mr. Bischoff reported the following correspondence:

- Legislative Recap. A-3254 – Permits municipal court to order certain offenders to perform community service in lieu of payment of penalty. A-3764 – permits counties and municipalities to use snow removal reserve funds for clearance of debris following declaration of emergency by President or Governor.
- NJDEP Re: Community Forestry Management Plan. Suggested that the Attorney look at the information.
- Washington Twp. Re: Res R-25-14 in Support of a Water Tax to Fund the Loss of Land Equity for Property Owners in Highlands Region. I am very much in favor of this because these people are mightily put upon. Put the resolution on next meeting agenda.
- PAIC Re: PAIC Survey of Township Facilities.

Mr. Mazza reported the following correspondence:

- “From J. Santamaria. 2 Gravel Hill Road, Asbury, NJ 08802

To: Mayor McBride, Deputy Mayor Mazza and the Union Township Committee Representatives: Hirt, Bischoff and Severino.

Delivered by hand to the Union Township Office: February 19, 2014.

Ladies and Gentlemen,

First thank you for looking into the request I made by phone to Deputy Mayor Mazza regarding placing a speed hump on Gravel Hill Road to reduce the danger of accidents and injuries as speeding vehicles exit County Road 579 onto Gravel Hill Road. I was advised by Mr. Mazza that research has been undertaken. I am not aware of any results, concerns or other information that may have surfaced since the research was commissioned.

I would appreciate the opportunity to address this meeting in person, but I regret that my schedule has me in Connecticut at a meeting at Fairfield University on Feb 19th. My departure for New Jersey is not until 6:30 PM: Too late for the meeting, hence, this written request for that I may be on record.

The situation is extremely dangerous and has been deteriorating over the past several years as more and more traffic travels 579, and 614 using Gravel Hill as a short cut. It is especially dangerous during rush hours and when there are delays on Rte 78; an increasingly frequent occurrence.

Vehicles traveling at or in excess of the posted limits on 579 create a hazard as they turn off onto Gravel Hill. This is especially true if they are exiting from the south as the right hand turnoff is gentle and need for breaking appears to be less. Thus when they speed past my driveway, I and my family are at risk as are the Fitzpatrickas, who live but a short distance further in; as are any school bus, Link bus or private vehicle

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approaching 579 from Gravel Hill Road: Not to mention the danger to pedestrians, joggers, and kids on bikes who use the road. It has no sidewalks or bike lanes that they can rely on for protection from speeding vehicles.

Vehicles traveling up Gravel Hill Road towards 579 from Gravel Hill Road: not to mention the danger to pedestrians, joggers, and kids on bikes who use the road. It has no sidewalks or bike lanes that they can rely on for protection from speeding vehicles.

Vehicles traveling up Gravel Hill Road towards 579 also present a hazard as they all seem to accelerate once past Deer Path Road and often appear to be traveling in excess of 30-35 miles per hour, then breaking hard just before the stop sign. Eventually one of these speeding vehicles will encounter a speeding vehicle turning on to Gravel Hill from 579. That is a statistical probability that increases every day as traffic count increases. This excessive speed from both directions not only raises a lot of dust, but it creates more damage to the surface (potholes) which the Township then spends time and money filling in. There are no posted speed limits on what is now essentially a residential road.

A speed hump placed on Gravel Hill at the upper end (near 579) would help reduce the danger, risk and attendant liabilities of accident and injuries. No resident, pedestrian, or motorist is safe as it stands now. The portion of Gravel Hill Road that should be considered for a speed hump is flat and there should be enough distance from 579 to place the requisite "warning signs" as vehicles exit 579, a speed hump and "warning signs" for vehicles traveling up Gravel Hill Road before any declines in elevation.

It has been suggested that I relay to the committee anecdotal reports on the number of times I personally have almost been struck both in a vehicle or even while checking my mail. An incident happened only last week as I was at my mailbox. I will elaborate on this and others in person if this letter is not compelling enough for the Committee to take some action. Please let me know what is required.

The risk is clear to anyone who takes the time to observe how most cars speed at this spot and endanger life and limb as described herein. This risk as now been reported "on the record," to this Committee. This Committee has the power to take reasonable and inexpensive preventative steps to mitigate the risk and should do so. Moreover, it seems reasonable to expect that by slowing traffic down a bit, the pothole repair expense will be reduced and the cost of the speed hump and its maintenance would be offset.

Thank you all for your attention to this request for action. It is submitted with the utmost of respect for the responsibility you have as Township Representatives, and with the best intentions for the safety and well-being of residents of our community. I have been a resident property owner in Union Township since 1979, married and raised children here and now have grandchildren who will be riding their bikes. While more crowded and hence more traffic exists than did 35 years ago, it is still a beautiful and wonderful place. I just don't want anyone to get hurt.

Thank you again and I look forward to your actions.

Respectfully,
J. B. Santamaria"

We need to figure out what we can do and what we want to do. As a first step, Mr. Severino will call Trooper Walsh and request him to appear several times at Gravel Hill to discourage speeders. The Attorney will evaluate if the Township can post signs on the road to slow down the traffic.

Ms. McBride reported the following correspondence: None

9. PUBLIC COMMENTS

10. PUBLIC HEARING

**ORDINANCE #2014 – 1
AN ORDINANCE FIXING AND DETERMINING MUNICIPAL CLASS POSITION TITLES AND
SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES
OF THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, NJ – 2014**

Open Public Hearing

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

Motion carried by unanimous favorable vote

To Close Public Hearing

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

Motion carried by unanimous favorable vote

To Adopt on the second and final reading

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

Motion carried

11. OLD BUSINESS

12. NEW ORDINANCE – 1ST Reading

13. NEW BUSINESS

- a. The following resolution was introduced for adoption:

RESOLUTION 2014-28

APPOINTING GRACE BRENNAN AS TEMPORARY PURCHASING AGENT

WHEREAS, the Union Township Committee adopted Resolution 2012-71 on April 4, 2012 appointing Amy Barkman as qualified purchasing agent for the Township of Union pursuant to subsection (a) of N.J.S.A.

40A:11-9 and increasing the maximum bid threshold to thirty-six thousand Dollars (\$36,000) pursuant to N.J.S.A. 40A:11-3(a)&(c); and

WHEREAS, Amy Barkman has resigned as qualified purchasing agent for Union Township effective December 31, 2013; and

WHEREAS, N.J.S.A. 40A:11-9(a) provides that following the employment of a Purchasing Agent for a contracting unit pursuant to subsection (a) of said section, if the person appointed no longer performs such duties, the governing body may appoint, for a period not to exceed one (1) year commencing from the date of the vacancy, a person who does not possess a qualified purchasing agent certificate to serve as temporary purchasing; and

WHEREAS, Grace Brennan, Chief Municipal Financial Officer of the Township of Union, is willing to serve as temporary purchasing agent during said one (1) year period; and good cause appearing

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, New Jersey that pursuant to N.J.S.A. 40A:11-9(g) and N.J.A.C. 5:34-5.5(a) Grace Brennan is hereby appointed as temporary purchasing agent for the Township of Union effective January 1, 2014 for a period expiring on December 31, 2014; and

BE IT FURTHER RESOLVED that pursuant to N.J.A.C. 5:34-5.5(a)(2), during the term of appointment of Grace Brennan as Temporary Purchasing Agent, the Township's bid threshold shall remain at the maximum amount allowed, being thirty-six thousand Dollars (\$36,000.00); and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

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

Motion carried.

b. The following resolution was introduced for adoption:

RESOLUTION #2014-29

**UNION TOWNSHIP, HUNTERDON COUNTY
2014 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES
Robert Clerico P.E.; Van Cleef Engineering Associates**

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 Van Cleef Engineering Associates, 1128 Route 31, Lebanon, NJ 08833, has completed and submitted a Business Entity Disclosure Certification which certified that Van Cleef Engineering Associates,

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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 Van Cleef Engineering Associates 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 Van Cleef Engineering Associates as follows:

1. The Engineer shall be compensated at the hourly rate of \$146.00 per hour for his 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 Van Cleef Engineering Associates under the direct supervision of Robert Clerico, P.E., when Robert Clerico, P.E. is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from January 1, 2014, to December 31, 2014.
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 part of this agreement.
6. Van Cleef Engineering Associates 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 19, 2014

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 2014 Temporary/Adopted Budget to award a contract to Van Cleef Engineering Associates, under the line item "Engineering".

Date: _____

Grace M. Brennan, CFO

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

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

Motion carried subject to Attorney review

c. The following resolution was introduced for adoption:

**RESOLUTION #2014-30
UNION TOWNSHIP; HUNTERDON COUNTY
2013 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 **2013** 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 property 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 Joseph Peake 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.

Date: February 19, 2014

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

Motion carried

d. The following resolution was introduced for adoption:

RESOLUTION #2014-31

WHEREAS, the Sidney Brook watershed and South Branch Raritan River is a unique and vital resource integral to the Township of Union; and

WHEREAS, Sidney Brook provides many areas of scenic beauty and recreational enjoyment for local residents; and

WHEREAS, the Township of Union has demonstrated a strong commitment to sound land-use planning as a means of protecting environmentally sensitive resources within the Township, with particular focus on water quality issues; and

WHEREAS, the Township of Union Environmental Commission via the 2010 NJDEP approved Sidney Brook Watershed Protection Plan documented that the Sidney Brook is a particularly valuable and sensitive environmental resource in need of restoration and enhancement due to impacts attributable to non-point source pollution and stormwater runoff; and

WHEREAS, the Township of Union wishes to initiate the implementation of the restoration and enhancement recommendations set forth in the Sidney Brook Watershed Protection Plan; and

WHEREAS, the Township of Union has worked with Princeton Hydro, LLC, of Ringoes, in the past in the completion of the NJDEP Section 319(h) funded Watershed Protection Plan for the Sidney Brook watershed; and

WHEREAS, the goal of the Watershed Protection Plan for Sidney Brook is to implement the measures recommended to ensure the stream’s water quality and overall ecology is improved;

NOW, THEREFORE, BE IT RESOLVED by the Township of Union, County of Hunterdon, State of New Jersey, supports the need for the implementation of the Sidney Brook Watershed Protection Plan and recognize the great value it will have for the Township.

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

Motion carried

e. The following resolution was introduced for adoption:

RESOLUTION #2014-32

WHEREAS, the Mulhockaway Creek watershed and South Branch Raritan River is a unique and vital resource integral to the Township of Union; and

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WHEREAS, the Mulhockaway Creek is an important water supply resource and provides many areas of scenic beauty and recreational enjoyment for local residents; and

WHEREAS, the Township of Union has demonstrated a strong commitment to sound land-use planning as a means of protecting environmentally sensitive resources within the Township, with particular focus on water quality issues; and

WHEREAS, the Township of Union Environmental Commission worked with the New Jersey Water Supply Authority in the past in the completion of the NJDEP Section 319(h) funded Mulhockaway Creek Stormwater Management and Watershed Restoration Plan (the Plan); and

WHEREAS, the NJDEP approved the Plan, which documented that the Mulhockaway Creek is a particularly valuable and sensitive water supply and environmental resource in need of restoration and enhancement due to impacts attributable to non-point source pollution and stormwater runoff; and

WHEREAS, the Township of Union wishes to initiate the implementation of the restoration and enhancement recommendations set forth in the Plan; and

WHEREAS, the goal of the Watershed Protection Plan for the Mulhockaway Creek is to implement the measures recommended to ensure the stream’s water quality and overall ecology is improved;

NOW, THEREFORE, BE IT RESOLVED by the Township of Union, County of Hunterdon, State of New Jersey, supports the need for the implementation of the Mulhockaway Creek Watershed Protection Plan and recognizes the great value it will have for the Township.

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

Motion carried

f. The following resolution was introduced for adoption:

RESOLUTION #2014-33

**TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION TO REFUND DUPLICATE PAYMENT OF 2013 TAXES**

WHEREAS, the tax collector received duplicate payment for the fourth quarter taxes of 2013 on Block 30 Lot 22; and

WHEREAS, Wells Fargo Home Mortgage made a duplicate tax payment of \$3,630.22 for the fourth quarter taxes; and

WHEREAS, Wells Fargo Home Mortgage has requested a refund of \$3,630.22.

NOW, THEREFORE, BE IT RESOLVED, on the 15th day of January, 2014 by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. The Tax Collector should refund the 4th quarter amount of \$3,630.22
2. The CFO shall refund \$3,630.22 to Wells Fargo Home Mortgage Attn Financial Support 1 Home Campus MAC X2302-04D Des Moines, IA 50328
3. This resolution shall take effect immediately upon adoption.

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

Motion carried

g. The following resolution was introduced for adoption:

**RESOLUTION #2014-34
UNION TOWNSHIP; HUNTERDON COUNTY**

**RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2014
Jonathan E. Drill, Esq. Special Counsel – Affordable Housing**

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, Stickel, Koenig & Sullivan, has completed and submitted a Business Entity Disclosure Certification which certifies that Stickel, Koenig & Sullivan 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 Stickel, Koenig & Sullivan 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 Jonathan E. Drill, Esq., of Stickel, Koenig & Sullivan, a Professional Corporation, 571 Pompton Avenue, Cedar Grove, New Jersey 07009 for his legal services for **2014** at the hourly rate of \$175.00.
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 Jonathan E. Drill, 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 2014 adopted municipal budget.

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

Date: February 19, 2014

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 2014 Temporary/Adopted Budget to award a contract to Jonathan E. Drill, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

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

Motion carried subject to Attorney review

h. The following resolution was introduced for adoption:

**RESOLUTION #2014-35
UNION TOWNSHIP, HUNTERDON COUNTY**

2014 AWARD OF CONTRACT OF PROFESSIONAL SERVICES FOR BOND COUNSEL

**Anthony J. Pannella, Jr., Esq., Esq.
of the Firm Wilentz Goldman & Spitzer P.A.**

WHEREAS, there exists a need for specialized legal services in connection with the authorization and issuance of bonds or notes of the Township of Union (the "Township") in the Township of Union, County of Hunterdon, State of New Jersey, including the review of such procedures and the rendering of approving legal opinions acceptable to the financial community; and

WHEREAS, such special legal services can be provided only by a recognized Bond Counsel firm, and the law firm of WILENTZ GOLDMAN & SPITZER P.A., 90 Woodbridge Center Drive, Suite 900, Box 10, Woodbridge, New Jersey, 07095-0958, is so recognized by the financial community; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-1 et seq. requires that notice with respect to contracts for Professional Services awarded without competitive bids must be publicly advertised;

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

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1. The law firm of Wilentz Goldman & Spitzer P.A., Woodbridge, New Jersey, is hereby retained to provide the specialized legal services necessary in connection with the authorization and the issuance of bonds or notes by the Township of Union in accordance with an Agreement at the hourly fee ranging from \$80.00 to \$220.00 per hour;
2. The Contract is awarded without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a), because it is for services performed by persons authorized by law to practice a recognized profession.
3. POLITICAL CONTRIBUTION DISCLOSURE. This contract has been awarded to professional based on the merits and abilities of professional 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 professional does hereby attest that professional, 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.
4. A copy of this Resolution as well as the Contract shall be placed on file with the Clerk of the Township of Union.
5. A notice in accordance with the Local Public Contracts Law of New Jersey shall be published in the Hunterdon Democrat.

Date: February 19, 2014

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, as Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2014 Temporary/Adopted Budget to award a contract to Wilentz Goldman & Spitzer P.A., as appropriated under the line item "_____".

Date: _____

Grace M. Brennan, CFO

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

Motion carried subject to Attorney review

- i. The following resolution was introduced for adoption:

RESOLUTION #2014 - 36

UNION TOWNSHIP, HUNTERDON COUNTY

AUTHORIZING CONTRACT FOR PLANNING CONSULTANT SERVICES FOR 2014
Clarke·Caton·Hintz/Carl E. Hintz, PP

WHEREAS, the Township of Union has a need to acquire planning 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; and

WHEREAS, CLARKE CATON HINTZ has submitted a proposal indicating the fee of \$205.00 per hour for his services; and

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

WHEREAS, CLARKE CATON HINTZ has completed and submitted a Business Entity Disclosure Certification which certifies that CLARKE CATON HINTZ 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 CLARKE CATON HINTZ 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 Clarke·Caton·Hintz/Carl E. Hintz, PP, for planning consulting services for **2014**.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5(1) (a) of the Local Public Contracts Law because Carl E. Hintz is a professional planner.
3. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the **2014** temporary and permanent Municipal budgets.
4. A Notice of this action shall be printed once in the official newspaper.

Date: February 19, 2014

CERTIFICATION AS TO AVAILABILITY OF FUNDS
UNION TOWNSHIP, HUNTERDON COUNTY

As required by N.J.S.A. 40A:4-57, N.J.A.C. 5:34-5.1 et seq., I, Grace M. Brennan, Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the **2014** Temporary/Adopted Budget to award a contract to Clarke·Caton·Hintz under the line item "_____".

Date: _____

Grace M. Brennan, CFO

MINUTES OF REGULAR MEETING February 19, 2014

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

Motion carried subject to Attorney review

j. The following resolution was introduced for adoption:

RESOLUTION #2014-37

UNION TOWNSHIP, HUNTERDON COUNTY
2013 RESERVE BUDGET APPROPRIATION TRANSFER(S)

Be it resolved by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that there are insufficient funds to meet the demands necessary for the 2013 Reserve appropriations, in the following accounts:

TO:	10516520A	ENGINEERING	\$ 2,500.00
	10518020A	PLANNING BOARD OE	2,500.00
	10530510A	RECYCLING S & W	750.00
	10537020A	RECREATION OE	2,000.00
	10529020A	ROAD MAINT. OE	5,000.00
		TOTAL	\$12,750.00

WHEREAS, the following account(s) have sufficient excess funds to meet such demands:

FROM:	10530520A	SOLID WASTE COLLECTION OE	\$12,750.00
		TOTAL	\$12,750.00

BE IT RESOLVED that in accordance with the provisions of R.S. 40A: 4-58 the Chief Financial Officer is hereby authorized to make the transfer(s) required to meet the obligations of Union Township.

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

Motion carried

k. The following resolution was introduced for adoption:

RESOLUTION #2014-38

UNION TOWNSHIP, HUNTERDON COUNTY

Part-Time Deputy Tax Collector; Colleen Dolan

WHEREAS, Kelly Hahn, Tax Collector will be on maternity leave starting in February 2014; and

WHEREAS, the Township of Union is in need of a part-time Deputy Tax Collector; and

WHEREAS, Colleen Dolan holds the necessary certification to fill the position of the Deputy Tax Collector;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union that Colleen Dolan is hereby appointed to the position of temporary Deputy Tax Collector at the rate of \$25.00 per hour and additional terms agreed to in the offer letter signed by Ms. Dolan.

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

Motion carried

l. The following resolution was introduced for adoption:

RESOLUTION #2014-39

UNION TOWNSHIP, HUNTERDON COUNTY

**Temporary Part-Time Hourly and on as needed basis employee for Department of Roads and Facilities;
Brian Markussen**

WHEREAS, George Pflugfelder, DR&F employee will be on medical leave for an extended period of time; and

WHEREAS, the Township of Union is in need of a temporary part time hourly employee for Department of Roads and Facilities on as needed basis to perform some of the duties of Mr. Pflugfelder (mostly snow plowing); and

WHEREAS, Brian Markussen is qualified and has expressed an interest in same;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union to hire Brian Markulssen as a temporary part-time hourly employee for Department of Roads and Facilities on as needed basis, effective February 13, 2014 at an hourly rate of \$30.00 per hour with no additional benefits.

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

Motion carried

m. The following resolution was introduced for adoption:

RESOLUTION #2014-40

Governor's Council on Alcoholism and Drug Abuse
Fiscal Grant Cycle July 2014-June 2019
FORM 1B

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, the Township Council of the Township of Union recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Township Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

WHEREAS, the Township Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon;

NOW, THEREFORE, BE IT RESOLVED by the Township of Union, County of Hunterdon, State of New Jersey hereby recognizes the following:

1. The Township Council does hereby authorize submission of a strategic plan for the North Hunterdon Municipal Alliance grant for fiscal year 2014 in the amount of:

Table with 2 columns: Category and Amount. Rows: DEDR (27,511), Cash Match (6,878), In-Kind (20,633.25)

2. The Township Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED: _____
Michele McBride, Mayor

CERTIFICATION

I, Ella M. Ruta , Municipal Clerk of the of , Township of Union, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of a resolution duly authorized by the Township Council on this 19 day of 02 , 2014.

Ella M. Ruta, Municipal Clerk

Table with 7 columns: Roll Call Vote, Moved, Seconded, Ayes, Nays, Abstain, Absent. Rows: Mr. Severino, Mr. Mazza, Mr. Hirt

Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried

n. **Motion to Approve:** - 2014 License for Aladdin Kennels

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

Motion carried

- o. **Discussion** – 2014 Appointment of Geologist/Hydrogeologist. Mayor McBride and Mr. Bischoff will review submitted proposals and make recommendation to the Committee and the Planning Board.

14. REPORTS

a. **Attorney’s Report**

- Working on Fire Department Ordinance and requested a copy of their by-laws from Chief Van Fossen.
- Master Plan Zoning Amendment, I spoke to the Planning Board Attorney’s office.
- I will contact Pilot to schedule meeting in April.
- I prepared drafts of three farm leases.

b. **Committee Report**

Mr. Mazza reported the following:

- I want to thank Craig Hermann, the road crew, the new temp Brian and Tony for the great job they did plowing roads during the storm. They were under a great deal of stress and they worked non-stop and I want to thank them for that, they did an outstanding job. Also to Brian Plushanski for recommending Brian to help us.
- Union Township in Union County received two deliveries of salt meant for us.

Mr. Bischoff reported the following:

- Quote “When even one American – who has done nothing wrong – is forced by fear to shut his mind and close his mouth, then all Americans are in peril.” Harry Truman
- The Mayor and I attended a session at the County for the Comprehensive Economic Development Strategy. There is no positive impact on Union Township.

Mr. Severino reported the following:

- The hallway lighting situation needs to be resolved. There should be lights on in the hallway throughout the night.
- Thanked the Mayor for handling the recycling container grant.
- We still have a problem with the office heat pump.

Mr. Hirt reported the following:

- Called County to report flooding at underpass on Route 614 and they responded and removed snow banks and directed water to creek.
- Could we put traffic cones near the road bump on Rt 173 Frontage Road at Foster Wheeler. The Engineer will look at it.

c. Mayor's Report

- Executive for personnel and negotiations.
- I met with the Clinton Water and DEP and Highlands Council on January 16th to review the Clinton water allocation permit that was recently renewed by DEP. I have informational handouts from the meeting for Committee members who wish to look at it. Clinton was allowed by the State to drill an additional well and therefore NJDEP are requiring additional water conservation measures from all of Clinton's customers. All of their customers must adopt new regulations and new allocations will be available to Union Township but only after we adopt new water saving ordinances. DEP and Highlands was there and we asked questions they didn't have answers to regarding whether which residents would be required to honor water conservation measures. Further meetings are in the works.
- I met with the NJ Water Supply Authority and School Superintendent Bender to discuss the Mulhockaway 319 Grant on January 17th. Schools are very excited about the proposal.
- I attended the Board of Education Meeting on January 27th to say hello and to discuss the 319 Grant and the School Board were very enthusiastic about it. I talked about the ability to share services with them.
- We had another wedding in the Municipal Building on January 22nd.
- The fire recovery cost meeting that was scheduled for February 3rd was cancelled due to weather and rescheduled to February 26th, Tuesday night in Clinton. Mr. Mazza will attend with me.
- Met with Bob Gyuro and Attorney Peter Jost to discuss the Finn Road Park lease on February 7th, we are still negotiating.
- Thanked the Pattenburg fire company and rescue squad for an excellent evening at their awards dinner on February 8th. Thank you for inviting us.
- I have a letter for everybody from the Solitude Heritage Museum announcing their grand opening for the Solitude Heritage Museum at 117 VanSyckles Road on July 5th at 12:00 p.m.
- I received an email from Boy Scouts/Cub Scouts asking if they could store their pinewood driven equipment in the basement of the Municipal Building.
- We have the mailbox resolution. The existing policy that provides that the Township will either replace the mailbox with a standard mailbox and post or reimburse the owner at the cost of a standard mailbox and post which is deemed to be \$50.00. It has become too much of a burden for the road crew to be physically replacing mailboxes and we delete that provision and simply say that the Township will reimburse the resident for the cost of a standard mailbox and post not to exceed \$50.00. If you want to adopt an amended resolution to that effect, you could do that tonight.

The following resolution was introduced for adoption:

RESOLUTION #2014-41
Revised Mailbox Replacement Policy

Whereas, it has been the policy of the Township of Union to repair or replace all properly placed and maintained mailboxes that have been damaged either by direct contact with a Township snow plow or by thrown snow from a Township plow; and

Whereas, properly placed mailboxes and posts should be mounted so that the face of the mailbox is twelve (12) inches behind the curb or edge of road and set to a height of 48 inches from the road surface to the bottom of the mailbox. Posts should be set in a hole 24 - 30 inches deep by 8 - 10 inches in diameter and filled with concrete to the surface; and

Now, therefore, be it resolved, by the Township Committee of the Township of Union that residents with mailboxes damaged beyond repair shall present the broken mailbox and/or post to the Department of Roads and Facilities in order to be considered for compensation; and

Be it further resolved that if a mailbox and post are damaged beyond repair during snow removal operations, it shall be the Township policy to reimburse the resident for the cost of replacement of a standard mailbox and 4"x 4" pressure treated wood post set in concrete, not to exceed \$50.00, to be paid upon presentation of a paid receipt; and

Be it further resolved that the Township will not provide compensation for improperly placed mailboxes or mailboxes that are in a state of disrepair.

Be it further resolved, that this Resolution shall take effect immediately.

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

Motion carried

d. Clerk’s Report

15. PUBLIC COMMENTS - None

16. PAYMENTS OF BILLS

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date paid and that all checks listed hereinafter issued in payment thereof.

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

Motion carried

17. EXECUTIVE SESSION – Personnel and Contract Negotiations

The following Resolution was introduced for adoption:

**RESOLUTION #2014 – 42
Providing for a Meeting Not Open to the Public in Accordance with the**

Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

WHEREAS, the Township Committee of the Township of Union is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et. seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. _____ Matters Required by Law to be Confidential: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. _____ Matters Where the Release of Information Would Impair the Right to Receive Funds: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. _____ Matters Involving Individual Privacy: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program , including but not limited to information relative to the individual’s personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. _____ Matters Relating to Collective Bargaining Agreements: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. _____ Matters Relating to the Purchase, Lease or Acquisition of Real Property or the Investment of Public Funds: Any matter involving the purchase, lease or acquisition of real property with public funds, the setting of banking rates or investment of public funds, where it could adversely affect the public interest if discussion of such matters were disclosed.
6. _____ Matters Relating to Public Safety and Property: Any tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair such protection. Any investigations of violations of possible violations of the law.
7. X Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.
8. X Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in public session on February 19, 2014 at 8:39 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

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

Motion carried

Motion to come out of Executive Session at about 10:02 p.m.

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

Motion carried

OUT OF AGENDA ORDER

PUBLIC COMMENTS – Mr. Santamaria, Gravel Hill Road

Mayor McBride gave Mr. Santamaria an overview of the Committee discussion earlier in the meeting concerning the request for a speed bump on Gravel Hill Road. Discussion followed of possible alternative solutions. Mr. Santamaria will provide additional information to the Mayor.

RETURN TO AGENDA ORDER

18. ADJOURNMENT

There being no further business to come before the Township Committee at this time Mr. Seveino made a motion to adjourn the meeting at 10:14 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Prepared by: Patricia Essig, Deputy Clerk

Michele McBride, Mayor