

MINUTES OF REGULAR MEETING January 3, 2018

1. CALL TO ORDER

Mayor Severino called the meeting to order at 7:22 p.m.

- 2. **"Sunshine Law" Announcement**- Adequate notice of this public meeting has been provided by notice published in the Hunterdon 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. Hirt	X	
Mr. Sroka	X	
Mr. Neary	X	
Mr. Mazza	X	

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

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of December 20, 2017

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

Motion carried

6. VISITORS

7. REPORTS RECEIVED - Acknowledged

- a. Road Dept.- Week Ending; 12/16/17; 12/22/17
 - b. Public Safety Coordinator
 - c. Engineer's Report
- Municipal Storage Building – Construction delayed due to weather conditions.
 - Perryville Road/Railroad Crossing – Mr. Clerico distributed copies of Correspondence received from the Railroad Consultant. He also received an e-mail from the NJDOT Representative regarding cost estimates for the Project. The e-mail alluded to a figure of \$85,000 for the Project. The Township's obligations need to be discussed and resolved.
 - Pilot Travel Centers LLC: Block 11, Lot 24.03 – Left Turn Signal issue remains unresolved.
 - MS4 Storm Water Permits – The Permit Renewal that was received from the State is being reviewed.
 - Liberty Stone & Aggregates-Clinton Quarry, LLC: Block 22, Lot 30, 5 Frontage Road: Complaint received regarding work in the wooded area. Mr. Clerico visited the site and said Liberty is working with compliance

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to a Woodland Management Plan that is on file in the Tax Assessor's office. He asked for copies of the Plan that should be discussed with the Committee at their next Meeting.

- Perryville Estates/Caccavelli: Block 21.2, Lot 32 – No update regarding various issues at the Site.

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

9. PUBLIC COMMENTS – None

10. PUBLIC HEARING – 2nd Reading – None

11. OLD BUSINESS – None

12. NEW ORDINANCE – 1st Reading

NOTICE

PLEASE TAKE NOTICE that the following Ordinance was adopted on first reading by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, at a meeting held on the 3rd day of January, 2018. 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 7th day of February, 2018, at 7:00 p.m., or as soon thereafter as the matter may be reached, at the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, at which time all interested parties will be heard.

Ella M. Ruta, Municipal Clerk

ORDINANCE 2018-1

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

BE IT ORDAINED by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that the Code of the Township of Union, Chapter V, ANIMAL CONTROL, is hereby amended as follows (additions thusly; ~~deletions~~ thusly)

Chapter Five – Animal Control, Section 5.5 is hereby amended to read as follows:

5-5 LICENSE FOR KENNEL, PET SHOP, SHELTER OR POUND; REGULATIONS FOR OPERATION.

a. Any person who keeps or operates or proposes to establish a kennel, a pet shop, a shelter or a pound in the Township shall apply to the Municipal Clerk or other official designated to license dogs for a license entitling him/her to keep or operate such establishment, in accordance with N.J.S.A. 4:19-15.8. License fees shall be as set forth in N.J.S.A. 4:19-15.9.

b. In accordance with N.J.S.A. 4:19-15.1, the following definitions shall apply:

"Kennel" means any establishment wherein or whereon the business of boarding or selling dogs or breeding dogs for sale is carried on, except a pet shop.

"Pet shop" means any place of business which is not part of a kennel, wherein animals, including, but not limited to, dogs, cats, birds, fish, reptiles, rabbits, hamsters or gerbils, are kept or displayed chiefly for the purpose of sale to individuals for personal appreciation and companionship rather than for business or research purposes.

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"Pound" means an establishment for the confinement of dogs or other animals seized either under the provisions of this act or otherwise.

"Shelter" means any establishment where dogs or other animals are received, housed and distributed.

c. Operation of the above facilities shall be in conformity with Subchapter 1, Rules and Regulations Governing the "Sanitary Conduct and Operation of Kennels, Pet Shops, Shelters and Pounds," N.J.A.C. 8:23-1.1 to 8:23A-1.13, 8:23-3.1, and with other applicable State laws and regulations.

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 of provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

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

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

Attest:

Ella M. Ruta, Municipal Clerk

Matt Severino, Mayor

First Reading: January 3, 2018
Publication: January 11, 2018
Public Hearing: February 7, 2018
Adoption: February 15, 2018

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

Motion carried

13. NEW BUSINESS

a. The following resolution was introduced for adoption:

RESOLUTION #2018-20

AGREEMENT

for CONTINUING DISCLOSURE and appointment as INDEPENDENT REGISTERED MUNICIPAL ADVISOR SERVICES

THIS AGREEMENT, made and entered into on this 3 day of January, 2018 ("Agreement") by and between Union Township, 140 Perryville Road, Hampton, NJ 08827-9717 (the "Issuer"), and Phoenix Advisors, LLC ("Phoenix Advisors"), 4 West Park Street, Bordentown, NJ 08505 ("Phoenix Advisors") for the provision of professional services summarized in the accompanying Scopes of Services.

WITNESSETH

WHEREAS, the Issuer has heretofore agreed through the execution of Continuing Disclosure Agreements (“CDAs”) relating to one or more bond issuances to provide certain financial and other information and notices, within specified timeframes, in a manner prescribed by the regulators of the underwriter that purchased said bond issues; and

WHEREAS, Phoenix Advisors provides continuing disclosure agent services and has heretofore been appointed by the Issuer to provide the same until the expiration of this Agreement, as defined in Section 4 herein; and

WHEREAS, Phoenix Advisors, being duly registered as a Municipal Advisor with the Securities and Exchange Commission (the “SEC”) and the Municipal Securities Rulemaking Board (the “MSRB”), provides professional municipal advisory services and has heretofore been appointed by the Issuer to provide such municipal advisory services until the expiration of this Agreement, as defined in Section 4 herein; and

WHEREAS, the parties desire to set forth herein the terms and conditions under which Phoenix Advisors will provide such services to the Issuer.

NOW, THEREFORE, THE PARTIES HERETO, IN CONSIDERATION OF MUTUAL COVENANTS HEREIN CONTAINED AND OTHER GOOD AND VALUABLE CONSIDERATION, EACH INTENDING TO BE LEGALLY BOUND, HEREBY AGREE AS FOLLOWS:

Section 1. Phoenix Advisors, exercising its duties of care and loyalty, will perform, inter alia, the tasks described in the Scopes of Services summarized and attached hereto.

Section 2. The Bond Issuer will compensate Phoenix Advisors for services provided in accordance with this agreement, as more particularly set forth below:

Continuing Disclosure Agent Service:

\$950 – Base fee (for up to three (3) outstanding issues), plus \$100 for each additional outstanding issue, if any, for which filings may be required, and \$200 for each new bond issue set up during the year. The setup fee will be invoiced at the time the new bonds are issued.

Independent Registered Municipal Advisor

There is **no separate fee** charged by Phoenix Advisors for being designated as your Independent Registered Municipal Advisor (IRMA). As your IRMA, we will be available to answer general questions concerning outstanding debt issues, market conditions, preliminary review financing proposals, or prepare preliminary project analyses. A separate fee addendum to this Agreement will be provided for your acknowledgement if you choose to have Phoenix Advisors involved in a debt issuance, to undertake an in-depth evaluation of a proposal or project, perform a consultant service, or assist with rating agency surveillance. Our goal is to be available to you and to be available to you and to add value when you need our expertise.

Section 3. Neither Phoenix Advisors nor any individual representing Phoenix Advisors possesses any authority with respect to any decision of the Issuer or any official of the Issuer beyond the rendition of information or

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advice. Phoenix advisors is not legal counsel nor an accountant and is not providing legal or accounting guidance. None of the services contemplated in this Agreement shall be construed as legal services or a substitute for legal services. The Issuer hereby acknowledges its responsibility with respect to federal securities laws and represents its intention to comply in all respects with federal securities laws.

Section 4. This Agreement, as to continuing disclosure services and municipal advisory services, is subject to annual renewal, and may be terminated by either the Issuer or Phoenix Advisors, upon 30 days' prior written notice.

Section 5. This Agreement shall be construed in accordance with and governed by the laws of the State of New Jersey.

IN WITNESS WHEREOF, The Issuer has caused this Agreement to be duly executed by its authorized representative and has caused its corporate seal to be hereto affixed, and Phoenix Advisors has caused this Agreement to be duly executed by an authorized party as of the day and year first above written.

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

Motion carried

b. The following resolution was introduced for adoption:

RESOLUTION-2018-21

**TOWNSHIP OF UNION, HUNTERDON COUNTY
RISK MANAGEMENT CONSULTANT**

WHEREAS, the Township of Union has resolved to join the Public Alliance Insurance Coverage Fund ("PAIC") following a detailed analysis; and

WHEREAS, the Bylaws of PAIC require that each entity designate a Risk Management Consultant to perform various professional services as detailed in the Bylaws and Risk Management Plan; and

WHEREAS, the Bylaws indicate that PAIC shall pay each Risk Management Consultant a fee to be established annually by the Executive Committee.

NOW THEREFORE, BE IT RESOLVED that the Township of Union does hereby appoint Peter G. Tarricone of USI Insurance Services as its Risk Management Consultant in accordance with the Fund's Bylaws.

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

Motion carried

14. REPORTS

a. Attorney's Report:

- Mentioned there are several Ordinances to be reviewed, including the Driveway Ordinance.

b. Committee Report

Mr. Mazza reported the following:

- Pattenburg Volunteer Fire Company (PVFC) Truck – Asked if the Township's insurance would cover the replacement of the oil-compression line on one of their trucks. CFO Brennan will contact the Insurer tomorrow.
- Asked the Committee's consensus regarding PVFC Chief Van Fossen attending Committee Meetings once a month. The Committee was amenable.

Mr. Sroka reported the following:

Foster Wheeler (FW) – Reported on a meeting at FW with Hunterdon County Economic Development Director Marc Saluk and representatives of FW regarding future development.

c. Mayor's Report

- Planning Board Member Resignation – Received a letter from Al Ryland regarding his wish to resign from the Board. Agreed to remain as a Member until a replacement has been appointed. Mayor asked Mr. Sroka to post the position on the Township Website.
- 2018 Recycling Schedule – Asked Mr. Sroka to post the 2018 Schedule on the Website.

Mayor Appointment – Mr. Severino announced he was appointing Marja Van ouwerkerk as a Member of UTEC.

- Public Safety Coordinator Position – Two applications were submitted. To be discussed in Executive Session.

15. PUBLIC COMMENTS

Debbie Hirt – Resident – Springhouse Lane – Voiced her concern regarding the appointment of the Public Safety Coordinator. Ms. Hirt thought the Position should not be appointed to anyone from Hampton, Lebanon Township, High Bridge, Clinton, Clinton Township and Quakertown. She felt the position should be filled by someone outside those perimeters, so the person would have an objective view of the current issues affecting fire companies serving the Township.

16. PAYMENT OF BILLS – no bills prepared for payment

8. EXECUTIVE SESSION – Safety Coordinator Position

The following Resolution was introduced for adoption:

RESOLUTION #2018-22

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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 investigation 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 required in order for the attorney to exercise his ethical duties as a lawyer.
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

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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 January 3, 2018, at 7:52 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

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

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

Motion Carried

The Committee returned to regular meeting session at 8:22 p.m.

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

Motion Carried

The Township Committee members took the following action when reconvened in an open session:

Mayor Severino asked that the following motion be approved:

To appoint Grace Brennan as Coordinator to the PAIC Insurance Fund.

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

Motion Carried

Atty. Jost asked that the following motion be approved:

To appoint Mayor Severino as the liaison to the Pattenburg Volunteer Fire Company and Pattenburg Rescue Squad.

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

Motion Carried

Atty. Jost asked that the following motion be approved:

To appoint Marc Strauss as the Public Safety Coordinator for 2018 with salary and conditions as set forth previously.

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

Motion Carried

17. ADJOURNMENT

There being no further business to come before the Township Committee at this time Mr. Sroka made a motion to adjourn the meeting at 8:23 p.m. Mr. Mazza seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Grace A. Kocher, Deputy Clerk

Matt Severino, Mayor