

1. CALL TO ORDER

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

- 2. **"Sunshine Law" Announcement-** Adequate notice of this public meeting has been provided by Annual 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. Mazza	x	
Mr. Hirt		x
Mr. Stiger	x	
Mr. Stothoff	x	

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

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Budget Workshop Regular and Executive Session Meeting Minutes of March 6, 2019
- b. Regular and Executive Session Meeting Minutes of March 6, 2019

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						x
Mr. Mazza			x			
Mr. Hirt						x
Mr. Stiger		x			x	
Mr. Stothoff	x		x			

Motion carried

6. VISITORS - none

7. REPORTS RECEIVED - Acknowledged

- a. Road Dept.- Week Ending; 3/01/19; 3/8/19;
- b. Animal Control Officer – February 2019
- c. Municipal Court – Jan/Feb 2019
- d. Public Safety Coordinator – Mayor Mazza stated that Marc Strauss will be arriving and giving his report at about 7:30 pm
- e. Engineer’s Report – Mayor Mazza stated that Engineer Clerico will be arriving later tonight due to traffic congestion

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Stothoff mentioned the following:

- Inquired about a letter from NJ Highlands Council regarding Open Space Funding Program. Mr. Stiger said he would look into it.

9. PUBLIC COMMENTS

State Trooper Sanderson introduced himself and said he is now the liaison to the Township Committee. Submitted a copy of the accident, reports to Township Attorney Jost. He stated that there are no major issues in the Township at this time. Trooper Sanderson mentioned a situation at the Pilot Truck Stop. Brief discussion followed. He concluded that most of the problems are created due to poor signage.

Justine Maglio-Wardell, Frontage Road said that there is a problem with excessive speed ever since the road was paved. Trooper Sanderson said he will take the message to the Police Barracks.

OUT OF AGENDA ORDER

At this time, Engineer Clerico arrived and gave his report

- Updated the Committee on MS-4 Report regarding Detention Basins.
- 2018 Country Acres Road Projects not completed last year, but the bid opening is scheduled for April 9, 2019 at 11:00 am.
- NJDOT’s Municipal Aid Grant Program awards should be known by the end of this month.
- Permission was granted by the State to combine Frontage Road Project Section I and II as a single project.
- A letter (dated 3/1/9) was received on 3/20/19 from Director Laine Rankin (Division of Local Aid) relating to the NJDOT- grant for Frontage Road Section 1 (2017-MA) . The letter was reviewed by the Township Committee and discussed at the meeting. The discussion included the Township’s understanding that the prior NJ DOT approval to allow for the Bidding of both the Section 1 and Section 2 (2018- MA) of the Frontage Road Project under a single contract would have resulted in an extension of the Section 1 deadline. Upon further discussion of the letter the Committee made and adopted a motion authorizing the Twp. Engineer to file the combined Section 1 & Section 2 plan, specification and contract documents with NJDOT. The motion also instructed the Twp. Engineer to request that NJDOT grant any necessary extensions to the May 17, 2019 Section 1 deadline noted in Director Rankin’s letter in order to provide the Township with a reasonable and sufficient amount of additional time to receive bids and award a contract for the combined project.

Atty Jost asked that the following motion be approved:

To authorize Engineer Clerico to apply to the State of NJ for an extension to complete Frontage Road Project Section I and II that was permitted to be combined.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						x
Mr. Mazza			x			
Mr. Hirt						x
Mr. Stiger		x	x			
Mr. Stothoff	x		x			

Motion carried

- Attended NJ I-Bank Seminar, a grant program through the State predominantly for utility work, but last year they opened it for road projects. Prepared and provided a summary memo to CFO Brennan.

OUT OF AGENDA ORDER

PUBLIC COMMENTS

Phyllis Pederson, resident from Country Acres Drive. She said there is debris at the Hoffman Park Trail. One of the pieces is a very old fridge full of water which she pointed out is a breeding ground for mosquitos. Ms. Pederson stated that she is not sure who would be responsible for cleaning it, but it should be done soon. Following a short discussion, the Committee agreed that the Dept. of Road and Facilities would do what is necessary to remediate the problem.

10. PUBLIC HEARING - none

11. OLD BUSINESS – None

12. NEW ORDINANCES

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 20th day of March 2019. 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 17th day of April 2019, 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 #2019-4

**CALENDAR YEAR 2019
ORDINANCE TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et.seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.0% or the cost of living adjustment of 3.5% over the previous years final appropriations; and,

WHEREAS, a municipality may, by ordinance, bank the difference between its final budget appropriations subject to the 2.50% cap and the 3.5% cost of living adjustment when said difference is not appropriated as part of the final budget; and,

WHEREAS, the Township Committee of the Township of Union, County of Hunterdon, hereby determines that this difference in the amount of \$64,551.44 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the

MINUTES OF REGULAR MEETING March 20, 2019

Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

First Reading: March 20, 2019
 Publication: March 28, 2019
 Second Reading: April 17, 2019
 Published by Title: April 25, 2019

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						x
Mr. Mazza			x			
Mr. Hirt						x
Mr. Stiger		x	x			
Mr. Stothoff	x		x			

Motion carried

OUT OF AGENDA ORDER

Mayor Mazza stated that Marc Strauss, Public Safety Coordinator just arrived and will give his report at this time.

Mr. Strauss stated that he and the Mayor met with the State Police representatives in reference to the trailer truck issue at Exit 12. He read a letter from the State Police regarding a survey they performed of trucks going through the Exit. The conclusion of that survey is that most of the problems are related to poor signage of directing trucks to Pilot Travel Center. Mr. Strauss said suggestions from NJ DOT, State Police and other agencies would be taken under consideration to resolve the problem. Mr. Stothoff asked that Mr. Strauss memorialize all information/suggestions to the UT Planning Board to have available when reviewing the Quick/Chek applications.

Mr. Strauss read the letter from Pattenburg EMS Chief Mason regarding relinquishing jurisdictions to the southeastern portion of Union Township to the Quakertown Volunteer EMS when they established themselves in 1989, at their original location, just off Pittstown Road. The letter, Mr. Strauss said goes on to state that since that time an EMS Division has been established within the Quakertown Fire Company. Due to a number of factors, it is the recommendation of the line officers of Pattenburg EMS that the southeastern portion of the Township be served by the EMS Division of the Quakertown Fire Company rather than Quakertown Volunteer EMS. The Pattenburg Rescue Squad, Inc. would remain as the secondary agency in the southeastern portion of the Township.

Mayor Mazza expressed his approval to the change mentioned above. Mr. Strauss said that with regard to the public safety he would also recommend the change.

Mr. Stothoff asked for clarification for the public why the change would be appropriate. Brian Patkochis, Chief of Quakertown EMS Division, said their EMS Squad staff is both paid and voluntary to provide 24-hour coverage. He spoke about newly purchased equipment that has the latest technology.

Atty. Jost asked that the following motion be approved:

To designate Quakertown Fire and Rescue Squad as the responsible Rescue Squad for the designated area of the Township that is a southeastern portion as reflected on the 911 map, subsequently appointing Quakertown Fire

and Rescue and relieving Quakertown Volunteer EMS from that obligation and thanking them for their dedicated service over the years to the residents of Union Township. This appointment will be effective upon the Mayor conveying this information to the County 911 Services and receiving confirmation thereof from them.

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						x
Mr. Mazza			x			
Mr. Hirt						x
Mr. Stiger		x	x			
Mr. Stothoff	x		x			

Motion carried

Atty. Jost suggested that a letter should be sent to the Quakertown Volunteer EMS thanking them for their past service and advising them of the change that has been made. Mr. Strauss would draft the letter and provide a copy to Atty. Jost for review before sending it to Quakertown Volunteer EMS.

Mr. Strauss said that a written copy of tonight’s report would be submitted to the Clerk for distribution.

13. NEW BUSINESS

a. The following Resolution was introduced for approval:

RESOLUTION # 2019-47

RESOLUTION FOR CONDUCTING ANNUAL BUDGET EXAMINATION

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Township of Union has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Township meets the necessary conditions to participate in the program for the 2019 budget year, so now therefore

BE IT RESOLVED, by the Mayor and Township Committee of the Township of Union that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes

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2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the "CAP" law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly stated
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

CERTIFICATION OF APPROVED BUDGET

It is hereby certified that the Approved Budget complies with the requirements of law and approval is given pursuant to N.J.S.A. 40A:4-78(b) and NJAC 5:30-7.

It is further certified that the municipality has met the eligibility requirements of NJAC 5:30-7.4 and 7.5, and that I, as Chief Financial Officer, have completed the local examination in compliance with NJAC 5:30-7.6.

Dated March 20, 2019

By: _____
Chief Financial Officer

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						x
Mr. Mazza			x			
Mr. Hirt						x
Mr. Stiger	x		x			
Mr. Stothoff		x	x			

Motion carried

- b. The following Resolution was introduced for approval:

Mr. Stothoff stated that there is 1.5 cents increase in the 2019 budget, which means the average increase on the assessment of a \$350K house would be \$52.68. Mr. Stothoff added that the budget for the most part is fairly flat and the measured increase is due to replenishment of the Capital Fund for ongoing road improvements.

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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 an hourly fee of \$145 per hour and subject to a maximum of \$40,000.00 appropriated for services performed hereunder during the term of this contract; 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 the firm of Clarke·Caton·Hintz, for planning consulting services for **2019**
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 all persons providing services for the Township are professional planner.
3. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the **2019** temporary and permanent Municipal budgets.
4. A Notice of this action shall be printed once in the official newspaper.

Date: March 6, 2019

**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 **2019** Temporary/Adopted Budget to award a contract to Clarke·Caton·Hintz under the line item "_____".

Date: _____

Grace M. Brennan, CFO

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

Mr. Hirt						X
Mr. Stiger		X	X			
Mr. Stothoff	X		X			

Motion carried, subject to Attorney review

d. The following Resolution was introduced for approval:

**RESOLUTION #2019-50
UNION TOWNSHIP, HUNTERDON COUNTY**

**APPROVING 2019 AWARD OF CONTRACT OF PROFESSIONAL SERVICES FOR BOND COUNSEL
Everett Johnson, 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:

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. Cost of various services is specified in the agreement and shall not exceed \$20,000.00;
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: March 20, 2019

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 2019 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
Mr. Mazza			x			
Mr. Hirt						x
Mr. Stiger		x	x			
Mr. Stothoff	x		x			

Motion carried

e. The following Resolution was introduced for approval:

**TOWNSHIP OF UNION
IN THE COUNTY OF HUNTERDON**

RESOLUTION 2019 – 51

**RESOLUTION FOR MEMBER PARTICIPATION
IN A COOPERATIVE PRICING SYSTEM**

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF UNION
TO ENTER INTO A COOPERATIVE PRICING AGREEMENT**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the Hunterdon County Educational Services Commission, hereinafter referred to as the "Lead Agency " has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on April 3, 2019 the governing body of the Township of Union, County of Hunterdon, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the The Township of Union

AUTHORITY

Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the (CHIEF EXECUTIVE OFFICER) is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law* (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

CERTIFICATION

BY:

Frank T. Mazza, Mayor

ATTEST BY:

Ella M. Ruta, Municipal Clerk

Roll Call Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino						x
Mr. Mazza			x			
Mr. Hirt						x
Mr. Stiger	x		x			
Mr. Stothoff		x	x			

Motion carried

14. REPORTS

a. Attorney’s Report

- Wrote a letter to the owner of the Milligan house regarding storage of commercial and industrial equipment on the site and other materials that should not be stored on the residential property.
- Derelict property in Pattenburg – was notified by Mr. Hirt that the scaffolding has been removed.
- Contacted Mr. Templeton from the DCA office about construction records retention. Was told that some are permanent. Mr. Jost is waiting for additional information from Mr. Templeton.
- Would like to go back to approval of March 6, 2019 meeting minutes. Atty. Jost said that when Ordinance #2019-3 was introduced, which were the changes to the Affordable Housing Ordinance, he mentioned on the record that due to the cost of advertising only the changes to the Ordinance are going to be published and not the full Ordinance. Mr. Jost asked for the record that Meeting Minutes of March 6, 2019 be changed as follows and the vote would be taken to amend those minutes: “The Attorney stated that only the changes to the Ordinance would be published.”

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

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Mr. Mazza			x			
Mr. Hirt						x
Mr. Stiger		x	x			
Mr. Stothoff	x		x			

Motion carried

b. Committee Report

Mr. Stothoff reported the following:

- Working on updating content of our current website, migrating, and copying to the new one.

c. Mayor’s Report – all matters already discussed

15. PUBLIC COMMENT – none

16. EXECUTIVE SESSION – Resolution #2019- Action may be taken following Executive Session

17. PAYMENTS OF BILLS –

The approved lists 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
Mr. Mazza			x			
Mr. Hirt			x			x
Mr. Stiger	x					
Mr. Stothoff		x	x			

Motion Carried

CFO Brennan brought up an issue of lack of application received for the position on the DR&F. briefly discussed.

18. ADJOURNMENT

There being no further business to come before the Township Committee at this time Mr. Stothoff made a motion to adjourn the meeting at 8:05 p.m. Mr. Stiger seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Ella M. Ruta, Municipal Clerk

Frank Mazza, Mayor