

BECAUSE OF THE COVID-19 STATE OF EMERGENCY AND THE CLOSURE OF THE MUNICIPAL BUILDING THIS MEETING WAS HELD ELECTRONICALLY. FOLLOWING WAS THE LINK TO THE MEETING:

Topic: Township Committee Meeting
Time: March 17, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting
<https://us02web.zoom.us/j/89476557509?pwd=WW5ZQmI5cW5WR2RNNHN0UU1RVjFkdz09>

Meeting ID: 894 7655 7509
Passcode: 055907
One tap mobile
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1. CALL TO ORDER

Mayor Mazza called the meeting to order at 7:02 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. In addition, due to the current situation, notices of the virtual meeting were published/posted in compliance with the Sunshine Law.

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, Keri Reid McNally, Esq. sitting for Twp. Attorney Waterbury Cecil, Robert Clerico, Township Engineer, and Ella M. Ruta, Municipal Clerk.

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular, Budget Workshop and Executive Session Meeting Minutes of February 17, 2021

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

Motion carried

- 6. **VISITOR** - delayed to later in meeting due to scheduling conflict.

7. REPORTS RECEIVED – Acknowledged and briefly discussed

- a. Road Dept.- Week Ending; 1/29/21; 2/05/21; 2/12/21; 2/19/21; 2/26/21; 3/05/21
- b. Animal Control Officer – February 2021
- c. Municipal Court – February 2021
- d. Zoning Officer – January/February 2021
- e. Public Safety Director

- Mr. Strauss reported that he received Financial Information from the Clinton Fire Dept, and the High Bridge Fire Dept. He is awaiting information from Quakertown Fire Dept. He met with EMS chiefs at the beginning of the month.
- Mr. Stiger asked for additional information regarding funding for the fire companies.

State Trooper Sanderson advised stimulus checks are being delivered. Residents should check their mail as he has received reports of theft from the mailbox for checks in the past.

f. Engineer’s Report

- Mr. Clerico advised the contract was awarded for Baptist Church Road. Submissions have been made to DOT. A pre-construction meeting has been arranged with the contractor.
- The Stormwater Ordinance recently passed by the Township Committee was approved by the County on February 4th and is now in effect.
- Mr. Clerico said that had a pre-construction meeting with Fallon.
- Pilot Travel Centers will be installing a new sign and will be contacting NJDOT for a permit.

8. CORRESPONDENCE/WRITTEN COMMUNICATIONS

- Mr. Stothoff advised that the Township Planner sent a memo advising that the Township can opt out of issuance of licensing for cannabis. The Committee agreed to have a more detailed discussion at the next meeting.

State Trooper Sanderson advised there are new guidelines from the State regarding cannabis and alcohol.

9. VISITOR

- a. Douglas Steinhardt, Esq. – Attorney, representing SGS Perryville Development LLC, advised his client has an interest in 76 acres of Block 13 Lot 6. Current zoning is OR (Office Research). He said that his client was asking if the Committee would entertain an idea of rezoning the area for other permitted uses to bring additional commercial opportunities to the Township.

10. PUBLIC COMMENTS – Mayor asked if there were any comments from the public. There were none.

11. PUBLIC HEARING

ORDINANCE #2021-1

AN ORDINANCE AMENDING THE FEE SCHEDULE FOR THE USE OF RECREATION FACILITIES IN THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

To open Public Hearing

| 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

To close Public Hearing

| 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

To Adopt on 2nd Reading

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

Motion Carried

ORDINANCE #2021-2

AN ORDINANCE AMENDING THE FEE SCHEDULE FOR THE TOWNSHIP RECREATION PROGRAMS IN THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

To open Public Hearing

MINUTES OF REGULAR MEETING March 17, 2021

| 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 | | | |

To close Public Hearing

| 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 | | | |

To Adopt on 2nd Reading

| 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 | | | |

12. OLD BUSINESS – None

13. NEW ORDINANCE – 1st Reading

NOTICE OF INTRODUCTION OF ORDINANCE

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 17th day of March, 2021. 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 21st day of April, 2021, 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 or via a virtual meeting of the governing body held on such date at which time all interested parties will be heard.

Ella M. Ruta, Municipal Clerk

ORDINANCE #2021-3

CALENDAR YEAR 2021
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 1.0% or the cost of living adjustment of 3.5% over the previous years final appropriations; subject to certain exceptions and,

MINUTES OF REGULAR MEETING March 17, 2021

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Union, County of Hunterdon, hereby determines that this difference in the amount of \$70,694.43 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 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.

Ella M. Ruta, Municipal Clerk

Frank Mazza, Mayor

First Reading: March 17, 2021
Publication: March 25, 2021
Public Hearing: April 21, 2021
Final Publication: April 29, 2021

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

Motion Carried

NOTICE OF INTRODUCTION OF ORDINANCE

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 17th day of March, 2021. 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 21st day of April, 2021, 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 or via a virtual meeting of the governing body held on such date at which time all interested parties will be heard.

Ella M. Ruta, Municipal Clerk

ORDINANCE #2021 - 4

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 – 2021

MINUTES OF REGULAR MEETING March 17, 2021

BE IT ORDAINED, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, the salary ranges per annum for the year 2021 for the following officers and employees shall be as follows:

Salaries are for a period of one year unless otherwise noted:

ADMINISTRATIVE

| <u>POSITION</u> | <u>SALARY RANGE</u> | |
|--|---------------------|---|
| Mayor | \$ 4,000 - 5,000 | |
| Township Committee | 4,000 - 4,800 | |
| Township Clerk | 25,000 - 75,000 | |
| Registrar | 0 - 10,000 | |
| Deputy Clerk/Deputy Registrar/Admin. Asst. | 20,000 - 40,000 | |
| Tax Collector | 15,000 - 25,000 | |
| Deputy Tax Collector | 15.00 - 40.00 p/h | 1 |
| Tax Assessor | 20,000 - 35,000 | |
| Municipal Finance Officer (CFO) | 25,000 - 45,000 | |
| Payroll Administrator | 5,000 - 10,000 | |
| Personnel Administrator | 10,000 - 20,000 | |
| Accounts Payable Clerk | 3,000 - 7,500 | |
| Emergency Management Coordinator | 2,000 - 9,000 | |
| 9-1-1 Coordinator | 0 - 3,000 | |
| Deputy Emg. Mgm. Coordinator | 0 - 3,500 | |
| Clerical Assistant(s) | min. wage - 25./hr | |

DEPARTMENT OF ROADS AND FACILITIES

| | |
|------------------------------|-------------------|
| Foreman | 50,000 – 85,000 |
| Public Works Staff | 35,000 – 70,000 |
| Part time Public Works Staff | min. wage – 30/hr |

LAND USE DEPARTMENT

| | |
|---|-----------------|
| Zoning Officer | 7,500 - 15,000 |
| Deputy Zoning Officer | 1 |
| Planning Bd./Bd. of Adj. Secretary (Combined) | 10,000 – 50,000 |

MISCELLANEOUS

| | |
|--|---------------------|
| Recycling Coordinator | 4,000 – 10,000 |
| Animal Registrar | 2,000 – 10,000 |
| Dog Census | 0 - 3,000 |
| Recycling Attendant/Dumpster Attendant | min wage – 18.00/hr |

PUBLIC SAFETY

| | |
|---------------------------|-----------|
| Public Safety Coordinator | 0 – 5,000 |
|---------------------------|-----------|

HEALTH INSURANCE

Union Township Employees

Each Employee covered under the NJ State Health Benefits Program through the Township of Union shall contribute the State required amount.

Union Township Elected Officials

Each elected official of the Township of Union that is enrolled in the Benefits Program shall contribute the state required amount or more.

MISCELLANEOUS –

If the provisions of any part of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of this Ordinance; the provisions of this Ordinance are hereby declared to be severable.

This Ordinance shall take effect according to statute until further Ordinance by this Township Committee.

Frank Mazza, Mayor

Attest: _____
Ella M. Ruta, RMC
Municipal Clerk

First Reading: March 17, 2021
Publication/Full: March 25, 2021
Second Reading: April 21, 2021
Publication/Title: April 29, 2021

| 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

13. NEW BUSINESS

CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the consent Agenda and will be considered separate.

The Township Committee removed the Resolution for Approving a Fireworks Display at The Grand Colonial on May 1, 2021 from the Consent Agenda.

- a. **RESOLUTION #2021-39:** Allowing for Conducting Annual Budget Examination

RESOLUTION #2021- 39

TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY
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

MINUTES OF REGULAR MEETING March 17, 2021

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 2021 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
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 17, 2021

By: _____
Chief Financial Officer

- b. **RESOLUTION #2021-40:** Introduction by Title/Approval of the 2021 Municipal Budget

RESOLUTION #2021- 40

**UNION TOWNSHIP, HUNTERDON COUNTY
Resolution Introducing by Title/Approving the 2020 Municipal Budget**

WHEREAS, the Township of Union is holding a meeting on March 17, 2021 for the purpose of introducing the 2021 Municipal Budget and conducting other matters

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Union, Hunterdon County, New Jersey, that the Township of Union hereby petitions the Director of the Division of Local Government Services that the 2021 Local Municipal Budget be introduced and approved on March 17, 2021.

2021 UNION TOWNSHIP BUDGET

| | |
|---|-----------------------|
| Surplus Anticipated General Revenues | \$ 515,000.00 |
| Total Miscellaneous Revenue | 762,075.69 |
| Receipts from Delinquent Taxes | 100,000.00 |
| Amount to be Raised by Taxes | <u>2,219,719.29</u> |
| Total General Revenues | <u>\$3,631,794.98</u> |
| | |
| Operation Expenses: Salaries & Wages | \$ 614,793.50 |
| Other Expenses | 1,321,066.97 |
| Deferred Charges & Other Appropriations | 131,607.00 |
| Capital Improvements | 500,000.00 |
| Debt Service | 488,327.51 |
| Judgments | 0.00 |
| Reserve for Uncollected Taxes | <u>575,000.00</u> |
| Total Municipal Budget | <u>\$3,631,794.98</u> |

Motion: Stothoff
 Second: Severino
 Committee Polled – Ayes: Severino, Mazza, Stiger, Stothoff
 Naye:
 Abstentions:
 Absent: Hirt

Date: March 17, 2021

- c. **RESOLUTION #2021-41:** Authorizing Execution of Developer’s Agreement with Fallone Developers, LLC

RESOLUTION #2021-41

UNION TOWNSHIP, HUNTERDON COUNTY

**RESOLUTION AUTHORIZING EXECUTION OF DEVELOPER’S AGREEMENT WITH FALLONE DEVELOPERS, LLC
(MOUNTAIN TOP ESTATES – BLOCK 22.02, LOT 34)**

MINUTES OF REGULAR MEETING March 17, 2021

WHEREAS, Fallone Developers, LLC *fka* Fallone Group ,LLC (“Developer”) is the contract purchaser of an approximately 55-acre parcel of real property located on Perryville Road and identified on the Township’s Tax Maps as Block 22.02 (formerly Block 22), Lot 34 (the “Property”); and

WHEREAS, Developer filed a Complaint In Lieu of Prerogative Writs against the Township of Union Planning Board/Board of Adjustment (Docket No. HNT-L-000238-19) and the Township of Union Township Committee (Docket No. HNT-L-000302-19) which were consolidated by the entry of a Consent Order to Consolidate filed on August 19, 2019 (the “litigation”); and

WHEREAS, the litigation was settled and a Consent Order of Remand was filed on October 22, 2019 by the Honorable Michael O’Neil, (the “Consent Order”); and

WHEREAS, on December 19, 2019, the Union Township Planning Board (“Board”) granted amended preliminary and final major subdivision and preliminary and final major site plan approval to Developer to subdivide the Property into seventy-five lots—seventy-four residential lots and one open space lot—, and to construct seventy-four single-family dwelling units, without income restrictions, on the seventy-four residential lots, together with limited recreation facilities, a common wastewater disposal system on the open space lot, and related site improvements, which project will be known as “Mountain Top Estates” (the “Approvals”); and

WHEREAS, the details of the approval are set forth in the Board’s resolution of memorialization adopted on January 9, 2020; and

WHEREAS, the Approvals are subject to the Developer entering into an appropriate development agreement with the Township in accordance with section 30-11.5.c.1 of the Township’s Land Use Code; and the conditions set forth in the Resolution;

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

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.
 2. The developer’s agreement between the Township of Union and Fallone Developers, LLC, on file with Clerk of the Township of Union, is hereby approved, and the Mayor and Clerk are hereby authorized and directed to execute said agreement on behalf of the Township, or such other substantially similar agreement, the terms and form of which shall have been reviewed and approved by the Township Attorney.
 3. The Mayor, Clerk, Township Attorney, and other appropriate officers, employees and professionals, are hereby authorized and directed to prepare and execute any and all other documents and undertake any and all acts necessary to effectuate the terms hereof.
 4. This Resolution shall take effect immediately.
- d. **RESOLUTION #2021-42**: Refund of Overpaid Taxes on Tax Court Appeal for Block 22 Lot 34, Fallone at Union LLC

Township of Union
Hunterdon County

RESOLUTION #2021 – 42
Refund of Overpaid Taxes on Tax Court Appeal for
Block 22 Lot 34, Fallone at Union LLC

WHEREAS, N.J.S.A. 54:51A-6 allows a property that has an assessment at a higher rate than authorized by law to be reduced to the proper and just amount in accordance with the provisions of this act; and

WHEREAS, Fallone at Union LLC filed a tax appeal with the Township for tax year 2017 due to the over assessment of Block 22 Lot 34; and

WHEREAS, the 2017 assessed valuation of Block 22 Lot 34 is \$2,730,000 and the average ratio for 2017 is 86.35%; and

WHEREAS, an appraisal was completed by the Township appraiser to estimate the market value of the subject property and it was determined that the 2017 equalized assessed valuation exceeded the upper limit of value therefore a reduction was warranted; and

WHEREAS, the Special Tax Appeal Counsel, in consultation with the Township Tax Assessor and plaintiff Fallone at Union LLC, agreed to Stipulation of Settlement to adjustment the 2017 assessment of Block 22 Lot 34 to \$1,306,400; and

NOW, THEREFORE, BE IT RESOLVED by the Township of Union, County of Hunterdon, State of New Jersey as follows:

The Special Tax Appeal Counsel is authorized to sign a Stipulation of Settlement reducing the 2017 assessment for Block 22 Lot 34, in the ownership of Fallone at Union LLC to \$1,306,400 and the Chief Financial Officer is authorized to refund the overpayment of taxes paid in 2017 in the amount of \$37,682.69 to taxpayer’s attorney within 60 days of the date of entry of the Tax Court judgment. A copy of this resolution will be given to the Tax Assessor, Tax Collector and Chief Financial Officer.

Frank T. Mazza, Mayor

Attest:

Ella M. Ruta, Municipal Clerk

- e. **RESOLUTION #2021-43:** Appointment of Clarke Caton Hintz to Prepare a Highlands Plan Conformance Initial Assessment

RESOLUTION #2021-43

**UNION TOWNSHIP; HUNTERDON COUNTY
APPOINTMENT OF CLARKE CATON HINTZ TO PREPARE
A HIGHLANDS PLAN CONFORMANCE INITIAL ASSESSMENT**

WHEREAS, the Union Township submitted a request to the Highlands Council for additional funding to prepare an Initial Assessment to seek Highlands Plan Conformance for the lands in the Township located within the Highlands Preservation Area; and

WHEREAS, the Highlands Council authorized the additional funding in the amount of \$10,000 in February 2021; and

WHEREAS, Union Township shall prepare an initial assessment in accordance with the Highlands Council Regional Master Plan Addendum 2019-2 Plan Conformance Procedures, dated July 2019; and

WHEREAS, the Township Committee is in receipt of a proposal from Clarke Caton Hintz, dated March 15, 2021, in the amount of \$10,000, for the preparation of a Highlands Plan Conformance Initial Assessment in accordance with the Highlands Council Regional Master Plan Addendum 2019-2 Plan Conformance Procedures, dated July 2019; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, hereby authorizes Clarke Caton Hintz to prepare a Highlands Plan Conformance Initial Assessment in accordance with the Highlands Council Regional Master Plan Addendum 2019-2 Plan Conformance Procedures, dated July 2019.

f. **RESOLUTION #2021-** : Approving a Fireworks Display at The Grand Colonial on May 1, 2021

Atty. McNally asked that the resolution be removed from the Consent Agenda

g. **RESOLUTION #2021-44:** 2020 Reserve Budget Appropriation Transfers

Resolution #2021 - 44

UNION TOWNSHIP, HUNTERDON COUNTY
2020 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 2015 Reserve Appropriations, in the following accounts:

| | | | |
|-----|-----------|--------------------------|--------------------|
| TO: | 10515520A | Legal Services OE | 2,500.00 |
| | 10531020a | Buildings and Grounds OE | 2,500.00 |
| | | TOTAL | \$ 5,000.00 |

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

| | | | |
|-------|-----------|--------------------------|--------------------|
| FROM: | 10522020A | EMPLOYEE GROUP INSURANCE | \$ 5,000.00 |
| | | TOTAL | \$ 5,000.00 |

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.

Date: March 17, 2021

h. **RESOLUTION #2021-45:** Authorizing the Appointment of Jeremy Sabol; Part Time –Seasonal Employment for the Department of Roads & Facilities

Resolution #2021 – 45
Authorizing the Appointment of Jeremy Sabol
Part Time – Seasonal Employment
For the Department of Roads and Facilities

WHEREAS, the Township of Union is in need of a part-time seasonal employee for the Department of Roads and Facilities; and

WHEREAS, Jeremy Sabol is qualified and has been offered said position, and good cause appearing;

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey that Jeremy Sabol shall be hired as a part time seasonal employee for the Department of Roads and Facilities, effective April 1, 2021 to serve at the pleasure of the Township Committee, at \$15.00 per hour.

- i. **RESOLUTION #2021-46** : Approving 2021 Professional Services Contract – Special Counsel – Jonathan Drill, Esq.

**RESOLUTION #2021-46
UNION TOWNSHIP; HUNTERDON COUNTY**

**AUTHORIZING CONTRACT FOR LEGAL SERVICES 2021
Jonathan E. Drill, Esq. Special Counsel**

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

WHEREAS, the maximum amount of the contract may exceed the threshold amount established pursuant to N.J.S.A.40A:11-3(b); and

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

WHEREAS, 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 **2021** at the hourly rate of \$175.00. The agreement is for a not to exceed amount of \$30,000.00. Any exceedance of that limit will require the issuance of a change order.
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 **2021** adopted municipal budget.
4. A Notice of this action shall be printed once in the official newspaper of this municipality.

Date: March 17, 2021

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 2021 Temporary/Adopted Budget to award a contract to Jonathan E. Drill, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

- j. **RESOLUTION #2021-47:** Approving 2021 Professional Services Contract - Auditor–Suplee, Clooney & Company

RESOLUTION #2021-47

**UNION TOWNSHIP, HUNTERDON COUNTY
APPROVING THE AWARD OF A
2021 PROFESSIONAL SERVICES RESOLUTION/AUDITOR:
SUPLEE, CLOONEY & COMPANY**

WHEREAS, there exists a need for a municipal Auditor as a non-fair and open contract pursuant to provisions of N.J.S.A.19:44A-20.5; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the acquisition will exceed \$17,500; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, SUPLEE, CLOONEY & COMPANY has submitted a proposal, indicating they will provide the auditor services for the fee not to exceed \$35,000.00; and

WHEREAS, SUPLEE, CLOONEY & COMPANY has completed and submitted a Business Entity Disclosure Certification which certified that SUPLEE, CLOONEY & COMPANY 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 SUPLEE, CLOONEY & COMPANY from making any reportable contributions through the term of the contract; and

WHEREAS, the required certificate for the availability of funds has been filed by the Chief Financial Officer providing that legally appropriated balances are available to cover the amount of the contract as required by N.J.A.C.5:30-14.5 and that fees for the aforementioned auditing and non-auditing services shall be made available by appropriate inclusion in either an annual municipal budget which includes current, revenue sharing and utility provisions, by budget amendments for Federal program spending or by inclusion in an appropriate bond ordinance.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, authorizes the Mayor and Clerk of the Township of Union to enter into a contract with SUPLEE, CLOONEY & COMPANY as described herein as auditors on and in behalf of the Township of Union for the year 2021; and

BE IT FURTHER RESOLVED that a notice of this action shall be printed once in the official Township newspaper and a copy of this Resolution shall be forwarded to SUPLEE, CLOONEY & COMPANY, the Township Clerk and the Township Financial Officer.

CERTIFICATION AS TO AVAILABILITY OF FUNDS

MINUTES OF REGULAR MEETING March 17, 2021

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 to award a contract to SUPLEE, CLOONEY & COMPANY, as appropriated in the 2021 Temporary/Adopted Budget under the line item "Finance OE".

Date: March 17, 2021

Grace M. Brennan, CFO

k. Payment of Bills

Check Register - (100001) CASH CHECKING

| DATE | CHECK # | PAID TO | AMOUNT | VOID AMOUNT | VOID DATE | REASON |
|-----------|---------|--|----------------------|-------------|-----------|--------|
| 2/22/2021 | 2222150 | 1663 PNC BANK | 4,000.00 (Transfer) | | | |
| 2/26/2021 | 2262101 | 102 UNION TWP. PAYROLL ACCT | 30,638.18 (Transfer) | | | |
| 3/01/2021 | 3122101 | 1561 NJSHBP | 14,472.89 (Transfer) | | | |
| 3/04/2021 | 33916 | 2570 TRU GREEN COMMERCIAL | -4,119.75 (Manual) | | | |
| 3/04/2021 | 34062 | 2457 COMCAST | 423.88 | | | |
| 3/04/2021 | 34063 | 2755 DANIEL BAKER | 59.32 | | | |
| 3/04/2021 | 34064 | 1524 INSTITUTE FOR PROFESSIONAL DEVELOPM | 50.00 | | | |
| 3/04/2021 | 34065 | 2856 JACK SABOL | 31.92 | | | |
| 3/04/2021 | 34066 | 73 JCP&L | 17.54 | | | |
| 3/04/2021 | 34067 | 73 JCP&L | 24.20 | | | |
| 3/04/2021 | 34068 | 73 JCP&L | 128.61 | | | |
| 3/04/2021 | 34069 | 73 JCP&L | 791.76 | | | |
| 3/04/2021 | 34070 | 73 JCP&L | 222.74 | | | |
| 3/04/2021 | 34071 | 73 JCP&L | 46.35 | | | |
| 3/04/2021 | 34072 | 80 NO HUNTERDON-VOORHEES REGIONAL | 908,075.50 | | | |
| 3/04/2021 | 34073 | 2570 TRU GREEN COMMERCIAL | 4,119.75 | | | |
| 3/04/2021 | 34074 | 79 UNION TWP. BOARD OF EDUCATION | 1,582,318.00 | | | |
| 3/15/2021 | 3152101 | 102 UNION TWP. PAYROLL ACCT | 25,456.69 (Transfer) | | | |
| 3/26/2021 | 34075 | 2015 CIDARCK OLIVEIRA | 465.00 | | | |
| 3/26/2021 | 34076 | 2466 CLEARY, GIACOBBE, ALFIERI & JACOBS, | 2,190.00 | | | |
| 3/26/2021 | 34077 | 2457 COMCAST | 232.17 | | | |
| 3/26/2021 | 34078 | 1952 DEER CARCASS REMOVAL SERVICE LLC | 105.00 | | | |
| 3/26/2021 | 34079 | 2778 DIFRANCESCO BATEMAN, PC | 135.50 | | | |
| 3/26/2021 | 34080 | 1956 ELLA MALECKI-RUTA | 15.98 | | | |
| 3/26/2021 | 34081 | 2893 FALLONE AT UNION, LLC | 37,682.69 | | | |
| 3/26/2021 | 34082 | 2890 FLEMINGTON FLORAL COMPANY & GREENHOUSES | 86.98 | | | |
| 3/26/2021 | 34083 | 673 HUNTERDON COUNTY TREASURER | 400.00 | | | |
| 3/26/2021 | 34084 | 2736 KYOCERA DOCUMENT SOLUTIONS AMERICA | 159.88 | | | |
| 3/26/2021 | 34085 | 2266 LISA A. BURD-REINDEL | 200.00 | | | |
| 3/26/2021 | 34086 | 2853 MASON, GRIFFIN & PIERSON | 6,664.00 | | | |
| 3/26/2021 | 34087 | 1009 MAYBERRY SALES & SERVICE, INC. | 128.46 | | | |
| 3/26/2021 | 34088 | 2601 NJ ADVANCE MEDIA | 129.87 | | | |
| 3/26/2021 | 34089 | 2667 NORTH EAST PARTS GROUP, LLC | 726.49 | | | |
| 3/26/2021 | 34090 | 474 POWERCO, INC. | 904.62 | | | |
| 3/26/2021 | 34091 | 2539 PRAXAIR | 2,190.00 | | | |
| 3/26/2021 | 34092 | 2887 PRECISION AUTOMOTIVE AND DIESEL | 1,208.39 | | | |
| 3/26/2021 | 34093 | 1092 PUBLIC ALLIANCE INS. FUND | 42,500.00 | | | |
| 3/26/2021 | 34094 | 1516 QUILL CORPORATION | 107.44 | | | |
| 3/26/2021 | 34095 | 2245 R & L DATACENTERS, INC. | 320.00 | | | |
| 3/26/2021 | 34096 | 2544 REPUBLIC SERVICES OF NJ, LLC | 1,838.67 | | | |
| 3/26/2021 | 34097 | 1260 SMITH MOTOR CO. | 31.32 | | | |
| 3/26/2021 | 34098 | 621 STEM BROTHERS, INC. | 5,088.17 | | | |
| 3/26/2021 | 34099 | 1466 STICKEL, KOENIG, SULLIVAN & DRILL, | 420.00 | | | |
| 3/26/2021 | 34100 | 1734 THE HOME DEPOT | 183.09 | | | |
| 3/26/2021 | 34101 | 2186 VAN CLEEF ENGINEERING ASSOC. | 3,519.50 | | | |
| 3/26/2021 | 34102 | 1186 VERIZON WIRELESS | 303.83 | | | |
| 3/29/2021 | 3292101 | 897 STATE OF NJ - PERS | 61,232.00 (Transfer) | | | |
| 3/30/2021 | 3302101 | 102 UNION TWP. PAYROLL ACCT | 28,774.78 (Transfer) | | | |

2,604,246.62

-4,119.75 Manual

MINUTES OF REGULAR MEETING March 17, 2021

164,574.54 Bank Transfers

Check Register - (300001) CASH - CHECKING

| DATE | CHECK # | PAID TO | AMOUNT | VOID AMOUNT | VOID DATE | REASON |
|-----------|---------|-----------------------------------|----------------------------|-------------|-----------|--------|
| 3/26/2021 | 1298 | 2186 VAN CLEEF ENGINEERING ASSOC. | 2,268.00 | | | |
| | | | ----- 2,268.00 ===== | | | |
| | | | 2,268.00 | | | |

Check Register - (710001) CASH CHECKING-DEVELOPERS ESCROW ACCT

| DATE | CHECK # | PAID TO | AMOUNT | VOID AMOUNT | VOID DATE | REASON |
|-----------|---------|-----------------------------------|----------------------------|-------------|-----------|--------|
| 3/26/2021 | 6164 | 2853 MASON, GRIFFIN & PIERSON | 1,819.00 | | | |
| 3/26/2021 | 6165 | 2186 VAN CLEEF ENGINEERING ASSOC. | 1,700.00 | | | |
| | | | ----- 3,519.00 ===== | | | |
| | | | 3,519.00 | | | |

Check Register - (730001) CASH - DOG TRUST

| DATE | CHECK # | PAID TO | AMOUNT | VOID AMOUNT | VOID DATE | REASON |
|-----------|---------|------------------------------------|-------------------------|-------------|-----------|--------|
| 3/26/2021 | 1265 | 817 NJ Department of Health & Senr | 32.40 | | | |
| | | | ----- 32.40 ===== | | | |
| | | | 32.40 | | | |

Check Register - (750001) GENERAL TRUST CASH

| DATE | CHECK # | PAID TO | AMOUNT | VOID AMOUNT | VOID DATE | REASON |
|-----------|---------|-----------------------------------|--------------------------|-------------|-----------|--------|
| 3/26/2021 | 2473 | 2186 VAN CLEEF ENGINEERING ASSOC. | 300.00 | | | |
| | | | ----- 300.00 ===== | | | |
| | | | 300.00 | | | |

Fund 10 CURRENT FUND 2,623,989.58 107,987.05 **2,731,976.63**
Fund 30 CAPITAL ACCOUNT 2,268.00 **2,268.00**
Fund 71 PROFESSIONAL DEVELOPER REVIEW/INSP. FEE ACCOU 3,519.00 **3,519.00**
Fund 73 DOG/CAT TRUST 32.40 **32.40**
Fund 75 GENERAL TRUST FUND 300.00 **300.00**
Fund 80 PAYROLL TRUST 56,094.87 **56,094.87**

BILLS LIST TOTALS 2,680,084.45 114,106.45 **2,794,190.90**

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

Motion Carried

End of Consent Agenda

At this time Atty. McNally advised that the following resolution could be approved conditionally pending review by the Township Attorney Waterbury Cecil and submission of additional documents by the applicant.

Mr. Stothoff advised contingent upon review and sign-off by the Township Attorney.

RESOLUTION # 2021- 48

THE TOWNSHIP OF UNION, COUNTY OF HUNTERDON, STATE OF NEW JERSEY TO APPROVE A FIREWORKS DISPLAY AT THE FARM HOUSE AT THE GRAND COLONIAL WEDDING CEREMONY ON MAY 1, 2021

WHEREAS, the Farm House at the Grand Colonial will host a wedding party on Saturday, May 1, 2021; and

WHEREAS, the couple wishes to present a fireworks display at the ceremony; and

WHEREAS, Fireworks by Starfire was hired to do the fireworks display; and

WHEREAS, Fireworks by Starfire has complied with the requirements of the State of New Jersey for said fireworks display, and

WHEREAS, Fireworks by Starfire will provide the following:

- Confirmation that the Pattenburg Volunteer Fire Department has agreed to provide standby fire watch at this event pursuant to the State's requirements,
- A Certificate of Insurance naming Union Township as an additional insured
- That a waiver of liability from the owner of any structure found by the Fire Marshall to be located within the display and falloutzone.

BE IT RESOLVED, that approval is given by the Mayor and the Township Committee of Union Township for the display of fireworks on Saturday, May 1, 2021 to be held at the Farm House at the Grand Colonial.

BE IT FURTHER RESOLVED that approval is subject to all required permits and insurance.

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

Motion Carried

1. Discussion

- Legislature – A1571 Requiring the payment of prevailing wages for any projects subject to a pilot or receiving a tax abatement. The Township Committee does not support the requirement.

14. REPORTS

a. Attorney’s Report – preparing a written memo regarding new Cannabis regulations.

b. Committee Report

Mr. Stothoff reported the following:

- Questioned necessity of two separate accounts for internet service (main building and garage). The clerk will contact DR&F foreman regarding the issue.

Mr. Stiger reported the following:

- Resolution submitted for the assessment grant to the Highlands Council has been approved. He said he will work with the consultant to create an initial assessment study for the preservation zone.
- Said that he is working together with Mr. Stothoff on an Ordinance for operating activities for the Fire Co. Mr. Strauss and Mr. Severino will look into this further.

c. CFO Report - None

d. Fire Dept. Report - None

e. Mayor's Report

- Said that Mr. Swanson, a former resident of the Township contacted him about installing a plaque at Finn Park in honor of his deceased High School friend. The Committee agreed.
- Will be contacting Sheriff Frank Cordaro who runs a program to clean up Rupell Road and Route 173 along the fence across from Pilot.

State Trooper Sanderson reported that the area around Finn and Perryville Roads is littered with beer cans. They are in the process of investigating.

15. PUBLIC COMMENTS

- No Comments from the Public.

16. EXECUTIVE SESSION – 8:29 PM

RESOLUTION #2021-49

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;

NOW THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Union will convene in an Executive Session that will be limited only to consideration of items with respect to which the public may be excluded pursuant to N.J.S.A. 10:4-12b. The general nature of the subject or subjects to be discussed in this session is as follows:

Matters falling within the attorney-client privilege [N.J.S.A. 10:4-12b(7)]:

- a. Contract Negotiations – Municipal Court Shared Services
- b. 52 Cooks Cross Road
- c. Comcast Franchise Renewal
- d. Personnel – Employee # 08862

MINUTES OF REGULAR MEETING March 17, 2021

The matters discussed in this session will be disclosed to the public when the need for confidentiality no longer exists.

No action shall be taken in Closed Session. Formal action might be taken following the conclusion of the executive session.

Attorney Keri Reid McNally stated she is recusing herself from item a. due to a conflict and asked that this be moved to the end of the executive session. The Committee agreed.

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

Motion Carried

The Committee returned to regular meeting session at 9:06 pm.

| 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

17. 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 9:07 p.m. Mr. Stiger seconded the motion. Motion carried by unanimous favorable roll call vote.

Prepared by: Ella M. Ruta, Municipal Clerk

Frank Mazza, Mayor