

1. CALL TO ORDER

Mayor Severino 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. Hirt	X	
Mr. Sroka	X	
Mr. Stothoff	X	
Mr. Mazza	X	

Also present: J.P. Jost, Attorney, Robert Clerico, Engineer, and CFO Grace Brennan

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Regular and Executive Session Meeting Minutes of January 18, 2017

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

Motion carried

6. VISITORS - None

7. REPORTS RECEIVED - Acknowledged

- a. Road Dept.- Week Ending; 1/15/17; 1/20/17
- b. Engineer's Report
 - 2017 NJDOT Municipal Aid Application – Application has been filed.
 - Red Hills Quarry – Met with Mr. Mazza and new owner regarding issues at the site. Owner will be submitting a quarry license.
 - Pilot Travel Centers LLC: - Spoke with Pilot Traffic Engineer Joe Staigar regarding the status of the Frontage/Perryville Road Left Turn Signal – Have State Permits; awaiting Road Opening Permits from Hunterdon County. Work should be completed in a month or two.
 - Pilot has not provided As-Built information. The Township holds their Performance Bond and they have a TCO. Mr. Stothoff asked the time the TCO had been in place. It has been approximately four years. Atty. Jost and Mr. Clerico explained why the Final CO has not been issued.

- Perryville Road Railroad Crossing – Railroad Inspector met with Mr. Hermann. Railroad may be able to do some drainage improvements; however, the improvements would be limited to the Railroad-Right-of-Way. Research will be done by Railroad and Mr. Clerico will be apprised of findings.
- Exit 13 – Replacement of Yield Sign with Stop Sign. Followed up on request to NJDOT from two-years ago.
- Foster Wheeler - Frontage Road Bridge – Communication with NJDOT; weather permitting, work will begin in mid-March.
- Chip and Seal Program – Spoke with Mr. Hermann regarding roads to be considered for the Program. Committee will discuss at Budget Meetings.

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Severino mentioned the following correspondence:

- Mayor Severino mentioned Verizon Correspondence regarding installation of Nodes in Township Right-of-Ways. Verizon will be asked to give an overview/presentation of their proposal at a Committee Meeting. Clerk will be asked to schedule the meeting.

9. PUBLIC COMMENTS - No comments from the Public

10. PUBLIC HEARING - None

11. OLD BUSINESS - None

12. NEW ORDINANCE – 1st Reading

13. NEW BUSINESS

CONSENT AGENDA

Mr. Sroka asked that Resolution for Website Management be pulled and discussed at the next meeting.

Mr. Mazza asked that Professional Services Contract for Maser Consulting be pulled from consent agenda and voted on separately.

Atty. Jost asked for a motion to Approve Resolutions 27 – 36

**RESOLUTION #2017-27
UNION TOWNSHIP, HUNTERDON COUNTY**

**AUTHORIZING CONTRACT FOR PLANNING CONSULTANT SERVICES FOR 2017
With The Firm of Clarke·Caton·Hintz**

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 \$210 per hour for the 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 the firm of Clarke-Caton-Hintz, for planning consulting services for **2017**.
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 **2017** temporary and permanent Municipal budgets.
4. A Notice of this action shall be printed once in the official newspaper.

**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 **2017** Temporary/Adopted Budget to award a contract to Clarke-Caton-Hintz under the line item "_____".

Date: _____

Grace M. Brennan, CFO

RESOLUTION #2017-28

UNION TOWNSHIP; HUNTERDON COUNTY

RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2017

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

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

WHEREAS, J. PETER JOST, ESQ. has submitted a proposal indicating the fee for all other legal services rendered shall be \$170.00 per hour; and

WHEREAS, J. PETER JOST, ESQ. has completed and submitted a Business Entity Disclosure Certification which certifies that J. PETER JOST, ESQ. 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 J. PETER JOST, ESQ. from making any reportable contributions through the term of the contract; and

WHEREAS, the Township Chief Financial Officer has certified to the governing body the availability of funds for said contract in a line item entitled Legal Services, OE; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee authorizes the Mayor and Clerk to enter into a contract with J. PETER JOST, ESQ. as described herein; and

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED that a Notice of this action shall be printed once in the Hunterdon County Democrat.

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 Finance Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds in the 2017 Temporary/Adopted Budget to award a contract to J. Peter Jost, as appropriated under the line item "_____".

Date: _____

Grace M. Brennan, CFO

RESOLUTION #2017-29

**UNION TOWNSHIP, HUNTERDON COUNTY
2017 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, 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 \$149.00 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, 2017, to December 31, 2017.
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.

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 2017 Temporary/Adopted Budget to award a contract to Van Cleef Engineering Associates, under the line item "Engineering".

Date: _____
Grace M. Brennan, CFO

**RESOLUTION #2017-30
UNION TOWNSHIP, HUNTERDON COUNTY**

**AUTHORIZING CONTRACT FOR LEGAL SERVICES/PLANNING BOARD 2017
Woolson Sutphen Anderson/Mark S. Anderson, Esq.**

WHEREAS, the Township of Union has a need to acquire legal services for the Planning Board/Board of Adjustment 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, MARK S. ANDERSON, Esq. has submitted a proposal indicating the fee of \$150.00 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, MARK S. ANDERSON, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that MARK S. ANDERSON, Esq. has not made any reportable contributions to a political candidate or committee in the Township of Union in the previous one year, and that the contract will prohibit MARK S. ANDERSON, Esq. 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 Mark S. Anderson, Esq., for legal services/Planning Board for 2017.
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.
3. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the 2017 temporary and permanent Municipal budgets.
4. A Notice of this action shall be printed once in the official newspaper.

**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 2017 Temporary/Adopted Budget to award a contract to Mark S. Anderson, Esq., under the line item "_____".

Date: _____

Grace M. Brennan, CFO

**RESOLUTION #2017-31
UNION TOWNSHIP, HUNTERDON COUNTY**

2017 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:

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.

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 2017 Temporary/Adopted Budget to award a contract to Wilentz Goldman & Spitzer P.A., as appropriated under the line item "_____".

Date: _____

Grace M. Brennan, CFO

**RESOLUTION #2017-32
UNION TOWNSHIP; HUNTERDON COUNTY**

AUTHORIZING 2017 PROFESSIONAL SERVICE CONTRACT; ENVIRONMENTAL CONSULTING SERVICES; Stephen J. Souza, Ph. D.; Princeton Hydro, LLC

WHEREAS, the Township of Union has a need for environmental consultant 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, 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, PRINCETON HYDRO LLC has completed and submitted a Business Entity Disclosure Certification which certifies that PRINCETON HYDRO LLC 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 PRINCETON HYDRO LLC 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 a professional services agreement with Princeton Hydro, LLC, (Stephen J. Souza, Ph. D.) for environmental consulting services at the rate of \$186.00 per hour;
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.
3. Approval of the attached Contract is subject to availability and appropriation of sufficient funds as may be required in the **2017** temporary/permanent Municipal budgets.
4. A notice of this action shall be printed once in the official newspaper.

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 **2017** Temporary/Adopted Budget to award a contract to Stephen J. Souza, Ph. D.; Princeton Hydro, LLC, as appropriated under the line item _____.

Date: _____

Grace M. Brennan, CFO

**RESOLUTION #2017-33
UNION TOWNSHIP; HUNTERDON COUNTY**

**RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2017
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 **2017** 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 **2017** adopted municipal budget.
4. A Notice of this action shall be printed once in the official newspaper of this municipality.

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 **2017** Temporary/Adopted Budget to award a contract to Jonathan E. Drill, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

RESOLUTION #2017-34

**UNION TOWNSHIP, HUNTERDON COUNTY
AUTHORIZING THE AWARD OF A
2017 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 \$29,975.00; 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 **2017**; 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
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 **2017** Temporary/Adopted Budget under the line item "Finance OE".

Grace M. Brennan, CFO

**RESOLUTION #2017-35
UNION TOWNSHIP; HUNTERDON COUNTY**

**RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2017
Matthew J. Giacobbe, Esq. Special Labor 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, Cleary, Giacobbe Alfieri Jacobs, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Cleary, Giacobbe Alfieri Jacobs, LLC 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 Cleary, Giacobbe Alfieri Jacobs, LLC 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 Matthew J. Giacobbe, Esq., of Cleary, Giacobbe Alfieri Jacobs, LLC, a Professional Corporation, 169 Ramapo Valley Road, Oakland, New Jersey 07436 for his legal services for **2017** at the hourly rate of \$150.00.
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 Matthew J. Giacobbe, 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 **2017** adopted municipal budget.
4. A Notice of this action shall be printed once in the official newspaper of this municipality.

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 **2017** Temporary/Adopted Budget to award a contract to Matthew J. Giacobbe, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

Resolution #2017-36
Amending Resolution 2016-104
Retroactive to 12/31/16
UNION TOWNSHIP, HUNTERDON COUNTY

APPROPRATION TRANSFER(S)

MINUTES OF REGULAR MEETING February 1, 2017

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 2016 Appropriations in the following accounts:

TO:	Finance OE	10513020	\$ 1,500.00
	Buildings & Grounds OE	10531020	8,000.00
	Bond Principal	10692020	65,000.00
			\$74,500.00

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

FROM:	Roads OE	10529020	74,500.00
			\$74,500.00

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			
Mr. Hirt			X			
Mr. Sroka			X			
Mr. Stothoff		X	X			
Mr. Mazza	X		X			

Motion carried

END OF CONSENT AGENDA

The following resolution was introduced for approval:

RESOLUTION #2017-37

**UNION TOWNSHIP, HUNTERDON COUNTY
2017 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES
Richard Roseberry / Maser Consulting P. A.**

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 anticipated term of this contract is one year; and

WHEREAS, the firm of Maser Consulting P.A., has completed and submitted a Business Entity Disclosure Certification which certified that Maser Consulting P.A. 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 Maser Consulting P.A. 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 Richard Roseberry from Maser Consulting P.A. as follows:

1. The Engineer shall be compensated at the hourly rate of \$145.00 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. Alternate Engineering services may be performed for the Township by other principals and employees of the firm of Maser Consulting P.A. under the direct supervision of C. Richard Roseberry, P.E. is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from January 1, 2017, to December 31, 2017.
4. The Alternate 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 also part of this agreement.
6. Maser Consulting P.A. 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.

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 2017 Temporary/Adopted Budget to award a contract to Maser Consulting P.A. under the line item "Engineering".

Date: _____
Grace M. Brennan, CFO

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

Motion carried

14. REPORTS

a. Attorney’s Report

- Inoperable Motor Vehicle Ordinance – Spoke with Zoning Official regarding the Ordinance. Prohibition applies only to vehicles on streets, vacant lots and residential lawns. Driveways, parking area and other places are not set forth in the Township Code. Mr. Jost prepared a proposed Amendment that would prohibit inoperable motor vehicles anywhere on a property unless they are inside a fully-enclosed structure. Mayor Severino asked if a car cover would be objectionable. The issue of boats was raised. Atty. Jost said boats may be addressed in another Ordinance. Clerk will be asked to place Ordinance on February 15, 2017 meeting.
- Vicinage 13 Municipal Group - Atty. Jost asked for additional funds to Jeffery R. Surenian & Assc. For COAH matters.

The following motion was introduced for approval:

A \$2,000 contribution to Jeffery R. Surenian & Associates representing the Township regarding COAH matters.

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

Motion carried

- Main Street Pattenburg Residential Dwelling – Work has stalled on the dwelling which is in a state of disrepair.

b. Committee Report

Mr. Hirt reported the following:

- Community Day – Announced that he and Mrs. Hirt plan to co-chair a Community Day that will be held at Hunterdon Hills Playhouse. Would like the Township to provide funding for the fireworks (approximate cost \$4,500-5,000). Mayor Severino said the Committee would have to discuss that matter at their Budget Meetings.

Mr. Mazza reported the following:

- Signs – Met with Zoning Official regarding placement of temporary signs in the Township. Mayor Severino thought signs should be allowed for charitable/community events; however, not for business sales. Atty. Jost will review the Sign Ordinance.
- Abandoned boat on Perryville Road – Discussed briefly. Committee decided it could be broken up and discarded in the Township dumpster.
- New tractor with brush mower has been delivered.
- Road crew built three gates for Millbrook Park. Dumpster at Park will be closed off for winter. DiFazio Field at Finn Road Park will be fenced off and closed for winter.

Mr. Stothoff reported the following:

- Mentioned an accident his son witnessed at Cooks Cross and Perryville Roads. State Police responded to the site.

Mr. Sroka reported the following:

- Met with former Committee Member McBride regarding Facebook Page.
- Visited with various Township Personnel/Staff.
- Mayor Severino mentioned telephone call from Township School regarding assistance with snowplowing. Mr. Sroka spoke with School Representative regarding the issue. Does not have a problem with helping in an emergency; however, he indicated the School should have a Plan in place. Mayor Severino does not want the School to depend upon the Township.

Mayor’s Report

- Spoke with and had a meaningful conversation with State Police Commander Colin Frinzi.
- Asked Mr. Sroka to speak with Bob Wisnoski from Pattenburg Volunteer Fire Dept. about networking.
- Thanked Mr. Hirt for contacting NJDOT and resolving the issue with potholes by Maglio Electric.

15. PUBLIC COMMENTS –

Marc Strauss, Public Safety Coordinator – Met with Fire Chiefs and Rescue Squads regarding work on Bridge by Foster Wheeler and coordination of routing emergency vehicles during improvements.

Atty. Jost mentioned the Court Contract expires at the end of 2017. After a brief discussion, the Committee agreed that Messrs. Mazza and Stothoff represent the Township in the negotiation process.

16. PAYMENT 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			
Mr. Hirt		X	X			
Mr. Sroka	X		X			
Mr. Stothoff			X			
Mr. Mazza			X			

Motion carried

18. 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 8:05 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Grace A. Kocher, Deputy Clerk

Matt Severino, Mayor