

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 the Annual Notice; posted on Union Township website, published in the Hunterdon County Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk's Office.

3. FLAG SALUTE

4. ROLL CALL

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

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

5. APPROVAL OF PRIOR MEETING MINUTES

- a. Re-organizational Meeting of January 6, 2016
- b. Regular and Executive Session Meeting Minutes of January 6, 2016

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

6. VISITORS –

- Mark Mason, Pattenburg Rescue Squad – Mr. Mason presented an overview of the Squads’ activities and costs associated with providing services. He expressed appreciation to the Committee for their financial assistance. Mr. Mason asked the Committee for funds to help with LOSAP.
- Trooper Walsh, State Police – updated Committee on Perryville Road/Route 625 Intersection and traffic light timing issue at Pilot Travel Center.

7. REPORTS RECEIVED – acknowledged

- a. Road Dept.- Week Ending; 1/08/16
- b. Municipal Court – December 2015
- c. Animal Control Officer – December 2015
- d. Engineer’s Report
- Perryville Road/Route 625 Intersection Proposed Improvements.

- Pilot Travel Centers LLC: - Mr. Clerico said Pilot is asking for a reduction in bonding. He will be conferring with Atty. Jost regarding the amount of reduction.
- Milligan Farms – asked by Mayor Mazza to review parking lot at the site. Waiting for further instructions.
- Township Roads – Toured the Roads with Mr. Hermann re Chip and Seal Program. Application for State Aid was submitted for Frontage Road and part of Baptist Church Road
- Tax Maps – Hard copies delivered to Tax Assessor. Maps current through 2015.
- Pilot Travel Centers LLC. – Timing not changed on Signal on Charlestown Road.
- Foster Wheeler Bridge – E-mailed letter to NJDOT Representative regarding the matter. Will report to Committee with State response.
- Pattenburg Road Signage for oversized vehicles – Will follow up with County Representatives.
- Perryville Estates – Contacted Mr. Caccavelli’s Engineer who indicated he would contact Mr. Caccavelli and respond to Mr. Clerico.
- Baptist Church Road Traffic Signs – Mayor Mazza asked for an update – Mr. Clerico had met with Mr. Hirt this afternoon. The signs will be installed in conformance with Ordinance requirements.

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Severino mentioned the following correspondence:

- Rolling Hills, Block 22, Lot 27 – Hunterdon County Soil Conservation Stop Work Order
- Hunterdon County Surface Treatment Program for 2016

Mr. Bischoff mentioned the following correspondence:

- Hunterdon County Planning Board Notice of Site Plan and Subdivision Fee Waiver
- Hunterdon County Planning Board Plan for the Future Brochure

9. PUBLIC COMMENTS

- Mark Mason – Had a question about curbing/drainage by Deer Hill Road.
- Tony Meyer, Deputy OEM – Mentioned report from Hunterdon County OEM re upcoming winter storm and recommended precautions.
- Bob Wisnosky, Pattenburg Volunteer Fire Company Captain – Commented about AED’s and their maintenance, billings to residents for services provided.
- Paul Pasquarella, Member of Pattenburg EMS – AED’s have been removed from Finn and Millbrook Parks.

10. PUBLIC HEARING - None

11. OLD BUSINESS - None

12. NEW ORDINANCE – None

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 would be removed from the consent Agenda and will be considered separate.

a. **RESOLUTION #2016-22**

UNION TOWNSHIP; HUNTERDON COUNTY

RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2016

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 2016 Temporary/Adopted Budget to award a contract to J. Peter Jost, as appropriated under the line item "_____".

Date: _____

Grace M. Brennan, CFO

b. **RESOLUTION #2016-23**

UNION TOWNSHIP, HUNTERDON COUNTY

2016 PROFESSIONAL SERVICE CONTRACT/ENGINEERING SERVICES

Robert Clerico P.E.; Van Cleef Engineering Associates

MINUTES OF REGULAR MEETING January 20, 2016

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 (\$146.00) per hour for his engineering services rendered as needed or requested by the Township Committee, Planning Board/Board of Adjustment, or other Township agencies.
2. Engineering services may be performed for the Township by other principals and employees of the firm of Van Cleef Engineering Associates under the direct supervision of Robert Clerico, P.E., when Robert Clerico, P.E. is unavailable or when otherwise necessary and desirable.
3. This agreement shall cover the period from January 1, 2016, to December 31, 2016.
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 2016 Temporary/Adopted Budget to award a contract to Van Cleef Engineering Associates, under the line item "Engineering".

Date: _____

Grace M. Brennan, CFO

c. RESOLUTION #2016-24

UNION TOWNSHIP, HUNTERDON COUNTY

AUTHORIZING CONTRACT FOR LEGAL SERVICES/PLANNING BOARD 2016

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 2016.
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 2016 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 2016 Temporary/Adopted Budget to award a contract to Mark S. Anderson, Esq., under the line item "_____".

Date: _____

Grace M. Brennan, CFO

d. **RESOLUTION #2016-25**

UNION TOWNSHIP, HUNTERDON COUNTY

2016 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 2016 Temporary/Adopted Budget to award a contract to Wilentz Goldman & Spitzer P.A., as appropriated under the line item "_____".

Date: _____

Grace M. Brennan, CFO

e. **RESOLUTION #2016-26**

UNION TOWNSHIP; HUNTERDON COUNTY

AUTHORIZING 2016 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 (\$181 – 2015;176 - 2014) 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 **2016** 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 2016 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

f. **RESOLUTION #2016-27**

UNION TOWNSHIP; HUNTERDON COUNTY

RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2016

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 **2016** at the hourly rate of \$175.00 (\$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 **2016** 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 2016 Temporary/Adopted Budget to award a contract to Jonathan E. Drill, Esq., as appropriated under the line item "Legal".

Date: _____

Grace M. Brennan, CFO

g. **RESOLUTION #2016-28**

UNION TOWNSHIP, HUNTERDON COUNTY

**AUTHORIZING CONTRACT FOR PLANNING CONSULTANT SERVICES FOR 2016
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; (\$205.00) 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 **2016**.
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 **2016** 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 **2016** Temporary/Adopted Budget to award a contract to Clarke-Caton-Hintz under the line item " _____".

Date: _____

Grace M. Brennan, CFO

h. **RESOLUTION #2016-29**

**UNION TOWNSHIP, HUNTERDON COUNTY
AUTHORIZING THE AWARD OF A
2016 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 (\$29,500.00); 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 **2016**; 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 2016 Temporary/Adopted Budget under the line item "Finance OE".

Date:

Grace M. Brennan, CFO

i. **RESOLUTION #2016-30**

**UNION TOWNSHIP, HUNTERDON COUNTY
2016 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 &140.00 (\$135.00) 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, 2016, to December 31, 2016.
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 2016 Temporary/Adopted Budget to award a contract to Maser Consulting P.A. under the line item "Engineering".

Date: _____
Grace M. Brennan, CFO

j. **RESOLUTION #2016-31**

UNION TOWNSHIP; HUNTERDON COUNTY

RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2016

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 Jocobs, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Cleary, Giacobbe Alfieri Jocobs, 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 Jocobs, 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 Jocobs, LLC, a Professional Corporation, 169 Ramapo Valley Road, Oakland, New Jersey 07436 for his legal services for **2016** 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 **2016** 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 **2016** Temporary/Adopted Budget to award a contract to Jonathan E. Drill, Esq., as appropriated under the line item "Legal".

Date: _____
Grace M. Brennan, CFO

k. **RESOLUTION #2016-32**

UNION TOWNSHIP, HUNTERDON COUNTY

2016 WEBSITE MANAGEMENT AND MAINTENANCE SERVICE CONTRACT

WHEREAS, there exists a need for management and maintenance of an official Township of Union website; and

WHEREAS, the Township has provided funds for such services and said funds have been certified as being available by the Certified Finance Officer; and

WHEREAS, the City Connections, LLC is a professional company offering website management services and has expressed a willingness to offer said services at the annual fee of \$ 4,404.00 (\$4,138.00);

THEREFORE, be it resolved by the Township Committee of the Township of Union to enter into Contract with the City Connections, LLC for the 2016 calendar year.

Date: January 20, 2016

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, as Chief Financial Officer of the Township of Union, have ascertained that there are available sufficient uncommitted appropriated funds to award a contract to the City Connections, LLC as appropriated in the 2016 Temporary/Adopted Budget.

Date: _____
Grace M. Brennan, CFO

1. RESOLUTION #2016-33

AGREEMENT

**CONTINUING DISCLOSURE AGENT AND
FINANCIAL ADVISOR OF RECORD**

THIS AGREEMENT, made and entered into on this 20 day of January, 2016 (“Agreement”) by and between **Union Township, 140 Perryville Road, Hampton, NJ 08827-9717** (hereinafter referred to as the “Bond Issuer”), and Phoenix Advisors, LLC (“Phoenix Advisors”), 4 West Bordentown, NJ 08505.

WITNESSETH

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

WHEREAS, but for the execution of the CDAs, the underwriter of such bonds would be prohibited from purchasing the bonds of the Bond Issuer; and

WHEREAS, in order to ascertain its compliance with various CDAs executed in conjunction with the issuance of bonds, the Bond Issuer must identify the requirements stipulated in those various CDAs and compare those requirements with its filings and correct any deficiencies and

WHEREAS, new rules and regulations promulgated by the Securities and Exchange Commission (“SEC”) restrict the provision of advice concerning the issuance of municipal debt to those that are appropriately registered with the SEC; and

WHEREAS, it is beneficial to retain the assistance of appropriately registered experts in the field of municipal bond finance, with knowledge and experience in these matters, to assist in assuring compliance with CDAs and to stand ready to provide advice as needed with the issuance of municipal debt as Municipal Advisor of Record; and

WHEREAS, Phoenix Advisors provides such continuing disclosure services and is an independent registered municipal advisor under SEC regulations and has heretofore been appointed by the Bond Issuer to provide the same until the expiration of this Agreement, as defined in Section 3 herein; and

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

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

Section 1. Phoenix Advisors will perform, inter alia, the tasks as described in the Scope of Services summarized in Exhibit I and, if further requested, in Exhibit II attached hereto.

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

Continuing Disclosure Agent Service:

\$950 – All inclusive fee (for up to three (3) outstanding issues), plus \$100 for each additional outstanding issue, if any, for which filings may be required.

Independent Registered Municipal Advisor of Record

There is **no fee** charged by Phoenix Advisors for being designated as your Independent Registered Municipal Advisor (IRMA). As your IRMA, we will be available to answer general questions concerning outstanding debt issues, market conditions, preliminary review financing proposals, or prepare preliminary project analyses.

A separate addendum to this Agreement will be provided for your acknowledgement, if you choose to have Phoenix Advisors involved in a debt issuance or to undertake an in-depth evaluation of a proposal or project, perform a consultant service, or assist with rating agency surveillance. Our goal is to be available to you and to add value when you need our expertise.

Section 3. This Agreement as to the Continuing Disclosure Agent and Independent Registered Municipal Advisor of record, shall be in effect through the Bond Issuer’s fiscal year-end and is subject to annual reappointment.

Section 4. This Agreement may be terminated by the Bond Issuer or Phoenix Advisors, upon giving thirty (30) days prior written notice.

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

IN WITNESS WHEREOF, the Bond issuer and Phoenix Advisors have caused this Agreement to be duly executed by their authorized representatives as of the day and year first above written.

Union Township

PHOENIX ADVISORS, LLC

By: _____

By: _____

David B. Thompson, CEO

Name & Title

m. **RESOLUTION #2016-34**

**TOWNSHIP OF UNION, HUNTERDON COUNTY
RESOLUTION TO REFUND REDEMPTION TO LIENHOLDER**

WHEREAS, Tax Sale Certificate #2013-006 was issued to US Bank Cust for Pro Cap III, LLC in the amount of \$603.35; and

WHEREAS, US Bank Cust for Pro Cap III, LLC has paid subsequent taxes on the delinquency; and

WHEREAS, the lien was redeemed on January 8, 2016, in the amount of \$991.17 in accordance with provisions of NJSA54:5-60 et seq.; and

NOW, THEREFORE, BE IT RESOLVED, on this 20th day of January, 2016, by the Township Committee of the Township of Union, Hunterdon County, State of New Jersey, as follows:

1. The Treasurer issue a check in the amount of \$991.17 and a premium of \$800.00 for a total of \$1,791.17 payable to US Bank Cust for Pro Cap III, LLC, 2 Liberty Place, 50 S 16th St., Suite 1950, Philadelphia, PA 19102
2. That this resolution shall take effect immediately upon adoption.

n. RESOLUTION #2016-35

**UNION TOWNSHIP; HUNTERDON COUNTY
TONNAGE GRANT APPLICATION for 2015**

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for such tonnage grants for calendar year **2015** will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township Committee of the Township of Union, Hunterdon County to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is property completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, Hunterdon County, hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Joseph Peake to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

o. RESOLUTION #2016-36

**Excavation Bond Refund
Block 22 Lot 10**

MINUTES OF REGULAR MEETING January 20, 2016

David Mininni/ A.D.S. Builders
7 Everett Road, Pittstown, NJ 08867

WHEREAS, David Mininni, did post an excavation bond, in the amount of \$500.00, for work performed at Block 22 Lot 10, and

WHEREAS, the work and inspections are complete and the CO has been issued,

NOW, THEREFORE, BE IT RESOLVED, that the excavation bond in the amount of \$500.00, be released to David Mininni,

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

p. RESOLUTION #2016-37

David Mininni/A.D.S. Builders
Block 22 Lot 10, 7 Everett Road
Pittstown, NJ 08867

WHEREAS, David Mininni, A.D.S Builders, posted a Performance Bond, in the amount of \$3,000.00 for driveway apron work at Block 22 lot 10, and

WHEREAS, the work and inspection are complete, and

WHEREAS, the Township Engineer has in a letter dated November 24, 2015 has approved the release of this performance bond in the amount of \$3,000.00,

NOW, THEREFORE, BE IT RESOLVED, that the \$3,000.00 performance bond be released to David Mininni, A.D.S. Builders.

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

q. RESOLUTION #2016-38

Driveway Inspection Fee Escrow Balance Refunds
David Mininni/A.D.S. Builders
Block 22 Lots 9 & 10
5 & 7 Everett Road,
Pittstown, NJ 08867

WHEREAS, David Mininni, A.D.S. Builders did post driveway inspection escrow accounts for Block 22 Lots 9 and 10, and

WHEREAS, the work and inspections are complete and all invoices have been paid,

WHEREAS, there is a remaining balance of \$887.00 in the escrow accounts combined,

NOW, THEREFORE, BE IT RESOLVED that the balances of these escrow accounts, totaling \$887.00 be refunded to David Mininni/A.D.S.Builders.

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

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

Motion Carried

End of Consent Agenda

r. **Motion to Approve:** NJ State Firemen’s Assc. Membership Appl. – Jennifer Macri

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

s. **Mayoral Appointment:** Corey Mack and VJ DiRoberto to serve on UT Recreation Committee

t. **Discussion:** Appointment of Township Historian – The following candidates were considered: Bob Everett, Grace Kocher, Douglas Martin, Susan Rochelle and John Kuhl. Mayor Mazza will ask John Kuhl.

14. REPORTS

a. **Attorney’s Report**

- Hoffman Park Buildings – Atty. Jost and Ms. McBride are trying to obtain permission from the NJDEP to demolish the buildings.
- Union Hill Development – Met with Chuck Herring and Jack Templeton, DCA, at Union Hills, regarding reconstruction of the buildings destroyed in the fire.

b. **Committee Reports**

Ms. McBride reported the following:

- Website updated to reflect Tax and Recycling Information.

Mr. Hirt reported the following:

- Window Replacement – Has one quote, seeking two more.
- Unsafe house, Main Street Pattenburg – Spoke with a Hunterdon County Health Dept. representative. Will continue to pursue the issue with the County. Mr. Hirt will attempt to speak with the owner.
- Highlands Council Meeting – Will attend the their next meeting and report back to Committee.

Mr. Severino reported the following:

- Electronic Recycling – Discussed the associated cost of collecting electronics. Will monitor the site for three months and revisit whether it is practical to continue with the program.

Mr. Bischoff reported the following:

- Quote: “The two enemies of the people are criminals and government, so let us tie the second down with the chains of the constitution so the second will not become the legalized version of the first.” Thomas Jefferson.

c. Mayor’s Report

- Perryville Road/Route 625 Intersection - Mentioned meeting with County representative Tom Matthews.
- Milligan Farm – Asked Committee’s opinion about constructing a parking and walking paths/trails on the Farm. Mr. Clerico noted that a Plan would have to be provided to the County, approximate cost \$5,000.00. The Committee decided to postpone taking any action at this time.

15. PUBLIC COMMENTS – None at this time

16. PAYMENTS OF BILLS

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

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

Motion Carried

17. EXECUTIVE SESSION –

The following Resolution introduced for adoption:

**RESOLUTION #2016-39
Providing for a Meeting Not Open to the Public in Accordance with the
Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12**

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

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

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

MINUTES OF REGULAR MEETING January 20, 2016

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

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union, assembled in public session on January 20, 2016 at 8:52 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

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

MINUTES OF REGULAR MEETING January 20, 2016

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

Motion Carried

The Committee returned to regular meeting session at 9:37 p.m.

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

Motion Carried

18. ADJOURNMENT

There being no further business to come before the Township Committee at this time Mr. Bischoff made a motion to adjourn the meeting at 9:38 p.m. Mr. Hirt seconded the motion. Motion carried by unanimous favorable roll call vote.

Transcribed by: Grace Kocher, Deputy Clerk

Frank Mazza, Mayor