

1. CALL TO ORDER

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. Mazza	X	
Mr. Hirt	X	
Ms. McBride	X	
Mr. Bischoff	X	

5. APPROVAL OF PRIOR MEETING MINUTES

a. Regular and Executive Session Meeting Minutes of January 16, 2013

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

Motion carried

6. VISITORS

- a. Dan VanFossen – Fire Chief, Volunteer Pattenburg Fire Company. Reported that all the fire trucks are in service. Thanked Craig Hermann, DR&F Foreman for his help in fighting the fire on Van Syckles Rd the prior week. Updated the Committee on current activities.
- b. Mr. Bob Wisnosky, Treasurer of the Fire Company presented highlights of their 2013 Budget.

7. REPORTS RECEIVED

- a. Dept. of Roads & Facilities- Week Ending 1/11/13; 1/19/13; 1/26/13.
 - b. Zoning – Dec 2012/Jan 2013
 - c. Tax Collector – January 2013
 - d. OEM – January 2013
 - e. Finance – January 2013
 - f. Engineer’s Report
- Race St. stream embankment project. Received the DEP permit from the State. I prepared the easement parcel maps and descriptions and gave them to the Attorney. I am working on a detailed cost construction budget.
 - Mr. Bischoff asked me to look at base map/tax map information. Memo to Mr. Bischoff and the Mayor. Tax map of the Township needs to be updated.

- Pilot application plans have been received and we have provided commentary on DOT improvements.
- Hoffman Park. I wrote a letter to John Glynn stating that the park work is completed.
- Meeting with DR&F Foreman on Friday to look at Baptist Church intersection and the Main St. situation with the trees.
- Transco. Patrick Drive crossing road opening permits are being finalized.
- Mr. Mazza asked if there was any off track contribution money available. Answer no.

Motion: To earmark \$3,000.00 for the Tax Map updates in the 2013 budget.

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

Motion carried

- Mr. Clerico will request from the Tax Assessor the information needed for the updates.
- Discussion of No Parking sign distances.
- Mr. Mazza noticed that a number of signs on the Pilot property have been knocked down again. Mayor will take pictures of situation for February 21st meeting.

7:43 p.m. Mr. Clerico left the meeting

8. CORRESPONDENCE / WRITTEN COMMUNICATIONS

Mr. Hirt reported the following correspondence: None

Matt Severino reported the following correspondence: None

Mr. Bischoff reported the following correspondence:

- Mayor’s Advisory re: Revised Open Public Meetings Act Bill Introduced. We should be supporting this bill.
- Mayor’s Advisory re: Action Needed to Advance Restoration of Energy Receipts Bills. We need to keep our efforts through Resolutions and through our contacts with our legislators.
- Mayor’s Advisory re: Affordable Housing Governor’s Order to Abolish COAH: Municipal Housing Trust Fund. This is before the Supreme Court of the State of New Jersey.

Frank Mazza reported the following correspondence: None

Ms. McBride reported the following correspondence:

- Asked the Clerk to distribute to the Committee the Resolution from the Clerk’s Association on the OPRA Bill.

9. PUBLIC COMMENTS

- Angela Bates and Kara Cherney of Country Acres, foreclosed house next to their properties are seeking help from the Township to maintain the abandoned property. The Attorney will look into the matter and report back to the Committee.

- Pat Lingelbach - Committee had asked Historical Society their opinion of demolishing the Old Municipal Building. They agreed that it should come down. The Mayor will ask Mr. Carl Hintz if we need to go to the State for permission to demolish the building. The Committee will take the Milligan Farm under advisement as to it's historical value and disposition.
- Lori Tomenchok is hosting a health fair/run fundraiser at the Hunterdon Hills Playhouse and wanted to know if she needed approval from the Committee.

OUT OF AGENDA ORDER

Motion: Approval of an event at the Hunterdon Hills Playhouse, April 28, 2013, subject to the Attorney receiving a certified certificate of insurance.

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

Motion carried

RETURN TO AGENDA ORDER

- John Petronio, Main St., Jutland. Two large trees hit by Hurricane Sandy need to be removed. The Engineer and DR&F Foreman will evaluate on Friday.

10. PUBLIC HEARING

ORDINANCE NO. 2013-1

AN ORDINANCE OF THE TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY APPROVING THE CESSATION OF THE REGULAR MUNICIPAL COURT CASE FUNCTIONS OF THE NORTH HUNTERDON MUNICIPAL COURT AND APPROVING THE SHARED SERVICES AGREEMENT TO PROVIDE FOR THE STORAGE, SECURITY AND ADMINISTRATION OF THE MUNICIPAL COURT OF NORTH HUNTERDON'S CASE FILES AND RECORDS AND THE CONTINUATION OF BUSINESS AS REQUIRED AFTER CESSATION OF REGULAR MUNICIPAL COURT CASE FUNCTIONS

To Open Public Meeting

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

Motion carried by unanimous favorable voice vote

To Close Public Meeting

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			

Mr. Hirt			X			
Ms. McBride			X			
Mr. Bischoff	X		X			

Motion carried by unanimous favorable voice vote

To Adopt

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

Motion carried

11. OLD BUSINESS

**RESOLUTION #2013-28
UNION TOWNSHIP, HUNTERDON COUNTY
APPOINTMENT – DEPUTY EMERGENCY MANAGEMENT COORDINATOR**

WHEREAS, the Township of Union is currently in need of an Deputy Emergency Management Coordinator; and

WHEREAS, Glenn Roth is qualified for this position;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Union to appoint Glenn Roth to the position of Deputy Emergency Management Coordinator for a 1-year term beginning on January 1, 2013 and ending December 31, 2013.

Michele McBride, Mayor

Attest:

Ella M. Ruta, RMC
Municipal Clerk

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

Motion carried

12. NEW ORDINANCE – 1ST READING

13. NEW BUSINESS

a. Following Resolution introduced for adoption:

RESOLUTION #2013-29

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

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 **2012** 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.

Date: February 16, 2013

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

Motion carried

b. Following Resolution introduced for adoption:

**RESOLUTION #2013-30
UNION TOWNSHIP, HUNTERDON COUNTY**

**AUTHORIZING CONTRACT FOR LEGAL SERVICES/PLANNING BOARD 2013
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 or candidate 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/Panning Board for 2013.
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 2013 temporary and permanent Municipal budgets.
4. A Notice of this action shall be printed once in the official newspaper.

Date: February 6, 2013

**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

2013 Temporary/Adopted Budget to award a contract to Mark S. Anderson, Esq., under the line item "_____".

Date: _____

Grace M. Brennan, CFO

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

Motion carried

c. Following Resolution introduced for adoption:

RESOLUTION #2013-31

**UNION TOWNSHIP, HUNTERDON COUNTY
2013 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 \$143.00 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, 2013, to December 31, 2013.
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.

Date: February 6, 2013

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 2013 Temporary/Adopted Budget to award a contract to Van Cleef Engineering Associates, under the line item "Engineering".

Date: _____

Grace M. Brennan, CFO

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

Motion carried

- d. Following Resolution introduced for adoption:

RESOLUTION #2013-32

**UNION TOWNSHIP, HUNTERDON COUNTY
2013 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 \$130.00 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, 2013, to December 31, 2013.
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.

Date: February 6, 2013

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 2013 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. Mazza	X		X			

Mr. Hirt		X	X			
Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

e. Following Resolution introduced for adoption:

**RESOLUTION #2013-33
UNION TOWNSHIP, HUNTERDON COUNTY**

**AUTHORIZING CONTRACT FOR PLANNING CONSULTANT SERVICES FOR 2013
Clarke·Caton·Hintz/Carl E. Hintz, PP**

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 \$205.00 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, 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 Clarke·Caton·Hintz/Carl E. Hintz, PP, for planning consulting services for **2013**.
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 Carl E. Hintz is a professional planner.
3. Approval of the attached contract is subject to availability and appropriation of sufficient funds as may be required in the **2013** temporary and permanent Municipal budgets.
4. A Notice of this action shall be printed once in the official newspaper.

Date: February 6, 2013

**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 2013 Temporary/Adopted Budget to award a contract to Clarke-Caton-Hintz under the line item "_____".

Date: _____

Grace M. Brennan, CFO

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

Motion carried

f. Following Resolution introduced for adoption:

RESOLUTION #2013-34

**UNION TOWNSHIP, HUNTERDON COUNTY
AUTHORIZING THE AWARD OF A
2013 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 \$28,900.00; 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 2013; 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 2013 Temporary/Adopted Budget under the line item "Finance OE".

Date:

Grace M. Brennan, CFO

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

Motion carried

g. Following Resolution introduced for adoption:

**RESOLUTION #2013-35
UNION TOWNSHIP; HUNTERDON COUNTY**

**RESOLUTION AUTHORIZING CONTRACT FOR LEGAL SERVICES 2013
John W. Thatcher, 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, John W. Thatcher, LLC has submitted a proposal indicating the fee of \$175.00 per hour for his services; and

WHEREAS, John W. Thatcher, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that John W. Thatcher, 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 John W. Thatcher, 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 John W. Thatcher, Esq. of John W. Thatcher, LLC a Professional Corporation, 39 Main Street, Clinton, New Jersey 08809 for legal services for **2013**.
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 John W. Thatcher, 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 **2013** temporary/adopted municipal budget(s).
4. A Notice of this action shall be printed once in the official newspaper of this municipality.

Date: February 6, 2013

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 **2013** Temporary/Adopted Budget to award a contract to John W. Thatcher, Esq., as appropriated under the line item "Legal".

Date: _____
Grace M. Brennan, CFO

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

Motion carried

APPROVED EARLIER IN MEETING

- h. **Motion to Approve:** 5k and 10k Fundraising Run to Help with Restoration of NJ Shore, April 28, 2013
- i. **Motion to Approve:** Reach the Beach Relay – October 18 and 19, 2013.

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

Motion carried subject to receipt of certified certificate of insurance

j. **Motion to Approve:** 2013 Kennel License – Aladdin Kennels

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

Motion Carried

14. REPORTS

a. **Attorney’s Report**

- Received notification of Jersey Man Triathlon on May 18th.
- Spoke with Transco Attorney on status of temporary work space agreement.

Motion: Authorize current Mayor to sign temporary work space agreement with Transco. Property known as B 22 L 20 otherwise known as a very small piece of the Milligan Farm.

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

Motion Carried

b. **Mayor’s Report**

- Tom Cannan and I met with FEMA on January 17th re: Hurricane Sandy. Our application is complete except for estimates on equipment rental and labor.
- Toured Sidney Brook Watershed with Don Church, UTEC Chair on January 18th to prioritize the projects we want DEP to fund for our South Branch Watershed Protection Fund Grant.
- Located No Parking signage for Charlestown Road with DR&F foreman.
- Unified Energy provided a revised quote. Decision to abandon the project due to lack of significant cost savings.
- Gave a letter to our legislative team developed from the Sandy Response Ad Hoc Sub Committee. Letter posted on our website per the Committee.
- Executive Session matters– contract negotiations and personnel issue.
- Contacted Frank Bell at the County regarding remaining buildings at Hoffman Park to ask if the County had interest in them before they are tore down. The answer was no and I received a letter in that regard.

- Attended to Mayors Legislative Meeting in Trenton today. Very informative
- The Race St. project will be put on the NJEIT Survey for possible funding. A 3-phase diesel powered generator at estimated cost of \$90,000.00 provided by Maglio Electric as well as purchase of the Front End Loader, most used equipment during storms will also be included on the Survey.
- Pilot meeting scheduled for Feb 21st . Meeting with the Highlands Council on March 5th.
- Letter re: 300th Celebration of Hunterdon County. Representatives from the County will be coming to March 20th Committee Meeting. Bill Bischoff to work with the County on this event.

c. Committee Report

Mr. Hirt reported the following:

- All commercial buildings must have split toilet seats.
- The Mayor and I inspected the two Milligan Farm barns and I provided a list of maintenance issues.

Mr. Severino reported the following:

- Signed contract with Don Jon for electronics and scrap metal recycling.
- Lights in hallway stay on during meetings and then return to sensor. Mr. Hirt will contact electrician.
- County is looking for municipal enforcement of recycling.
- I will have Recycling Coordinator send letters to facilities managers of local office buildings about using our electronics recycling.

Mr. Bischoff reported the following:

- “I contend that for a nation to try to tax itself into prosperity is like a man standing in a bucket and trying to lift himself up by the handle. Winston Churchill.
- A meeting to discuss the shared services agreements for court/enforcement officer.
- Executive session item.

Mr. Mazza reported the following:

- Cut off for debris drop off at the park is April 15th.

d. Clerk’s Report

- Quarry License for GreenRock Recycling LLC had been approved by UT Planning Board at the January 24, 2013 Board meeting. License will be issued.

15. PUBLIC COMMENTS

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 be paid and that all checks listed hereinafter be issued in payment thereof.

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

Ms. McBride			X			
Mr. Bischoff			X			

Motion carried

17. EXECUTIVE SESSION

The following Resolution was introduced:

RESOLUTION #2013-36

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

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

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

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

1. _____ *Matters Required by Law to be Confidential*: Any matter which, by express provision of Federal law or State statute or rule of court shall be rendered confidential or excluded from the provisions of the Open Public Meetings Act.
2. _____ *Matters Where the Release of Information Would Impair the Right to Receive Funds*: Any matter in which the release of information would impair a right to receive funds from the Government of the United States.
3. _____ *Matters Involving Individual Privacy*: Any material the disclosure of which constitutes an unwarranted invasion of individual privacy such as any records, data, reports, recommendations, or other personal material of any educational, training, social service, medical, health, custodial, child protection, rehabilitation, legal defense, welfare, housing, relocation, insurance and similar program or institution operated by a public body pertaining to any specific individual admitted to or served by such institution or program , including but not limited to information relative to the individual’s personal and family circumstances, and any material pertaining to admission, discharge, treatment, progress or condition of any individual, unless the individual concerned (or, in the case of a minor or incompetent, his guardian) shall request in writing that the same be disclosed publicly.
4. _____ *Matters Relating to Collective Bargaining Agreements*: Any collective bargaining agreement, or the terms and conditions which are proposed for inclusion in any collective bargaining agreement, including the negotiation of the terms and conditions thereof with employees or representatives of employees of the public body.
5. _____ *Matters Relating to the Purchase, Lease of 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. X *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 February 6, 2013, at 9:21 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.

Motion to go in – 9:21 p.m.

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

Motion carried

Motion to come out – 9:42 p.m.

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

Motion carried

17. 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 9:43 p.m. Mr. Severino seconded the motion. Motion carried by unanimous favorable roll call vote.

Respectfully submitted,

Ella M. Ruta, Municipal Clerk

Michele McBride, Mayor

Prepared by: Patricia Essig, Deputy Clerk