

**TOWN OF CLINTON  
DESCRIPTION OF PROFESSIONAL SERVICE CONTRACTS FOR WHICH  
PROPOSAL ARE SOUGHT**

**APPOINTMENTS SHALL BE FROM JANUARY 1, 2010 THROUGH DECEMBER 31,  
2010, OR UNTIL A SUCCESSOR IS APPOINTED**

The following is a description of the professional services needed, including, where appropriate, a description of tasks involved:

**Municipal Attorney**

The Municipal Attorney shall be a licensed attorney at law of New Jersey, but need not be a resident of the Town of Clinton. With the prior approval of the Mayor and Council, the Municipal Attorney shall have such powers and perform such duties as are provided for by the office of Municipal Attorney by general law or ordinances of the Town. The Municipal Attorney shall represent the Town in all judicial and administrative proceedings in which the Town or any of its officers or agencies may be a party or have an interest. The Municipal Attorney shall give all legal counsel and advice, where required by the Mayor, Council or any member thereof and shall, in general, serve as the legal advisor to the Mayor and Council on all matters of Town business. In furtherance of such general powers and duties, but without limitation thereto, the Municipal Attorney shall:

1. Draft or approve as to form and sufficiency all legal documents, contracts, deeds, ordinances and resolutions made, executed or adopted by or on behalf of the Town.
2. With appropriate approval, conduct appeals from orders, decisions or judgments affecting any interest of the Town as the Attorney may in his/her discretion determine to be necessary or desirable, or as directed by Mayor and Council.
3. Subject to the approval of Mayor and Council, have the power to enter into any agreement, compromise or settlement of any litigation in which the Town is involved.
4. Render opinions in writing upon any question of law submitted to the Attorney by the Mayor, Council, or any member thereof, or the head of any department, with respect to their official powers and duties and shall perform such other duties as may be necessary to provide legal counsel to the Mayor, Town Council and Clerk in the administration of municipal affairs.
5. Supervise and direct the work of such additional attorneys and technical professional assistants as the Council may authorize for special or regular employment in or for the Town.
6. Have such other different functions, powers and duties as may be provided by Charter, general law or ordinance.

The Municipal Attorney shall have a minimum of 10 years experience serving as a municipal attorney. The Municipal Attorney shall have experience with: 1) Mt. Laurel obligations and COAH; 2) police matters; 3) litigation involving public entities in connection with land use, sewer and water matters; 4) public contract issues; and 5) OPRA and OPMA issues. In addition, the Municipal Attorney shall have substantial experience advising public entities with respect to sewer and water issues, including experience representing public entities on sewer and water issues before the Department of Environmental Protection and the Bureau of Public Utilities.

### **Alternate Town Prosecutor**

To provide the services of the Prosecutor in the absence of disqualification of the Prosecutor.

### **Public Defender**

The Public Defender shall be a licensed attorney at law of New Jersey and shall interview all indigent defendants qualifying for assistance as provided under the standards established by the office of the Public Advocate of the State of New Jersey, and shall defend same in the North Hunterdon Municipal Court and provide such legal advice and counsel to such individuals as may be required in any proceedings before the North Hunterdon Municipal Court.

### **Town Auditor**

The Town Auditor shall perform the annual audit of the Town financial records for the year ending December 31, 2010, prepare and submit any and all reports required by law and to serve as Town Auditor for the calendar year 2010 and perform the duties prescribed by law all in accordance with generally accepted auditing standards and the laws and regulations of the State of New Jersey regarding same. The Town Auditor shall perform such duties and render such services as may from time to time be requested by the Town, Mayor and Council, the Chief Financial Officer or the Town Clerk.

### **Bond Counsel**

The Bond Counsel shall be a licensed attorney at law of New Jersey. Bond Counsel performs and provides legal advice with regard to the following activities: the preparation of Bond Ordinances and the review of the adoption proceedings; the preparation and review of public finance resolutions, the preparation and issuance of Bond Anticipation, Special Emergency, and Tax Anticipation Notes; and the preparation and issuance of General Obligation Bonds. In addition Bond Counsel is responsible for the preparation and/or review of any Preliminary Official Statement and Official Statement of the Town. Bond Counsel is also responsible for the preparation and/or review of any application to the Local Finance Board, and attendance at any related meetings of the Board.

### **Town Planner**

The Town Planner shall be a New Jersey licensed professional planner. As directed, the Town Planner shall prepare for the Town reports, presentations and research on land use, housing, open space, economic development, transportation, public utilities, historic preservation, farmland preservation and natural resource protection and conservation. The Town Planner assists and advises the Town on techniques, rules and regulations that the Town may need in exercising its powers in the area of land use, housing, open space, economic development, transportation, public utilities, historic preservation, farmland preservation and natural resource protection. The Town Planner assists and advises the Mayor and Town Council in maintaining its land development ordinance. The Town Planner provides planning advice to the Mayor, Town Council and Town Clerk on planning proposals as appropriate and requested. The Town Planner prepares plans and other supportive documentation for development and redevelopment as directed. The Town Planner represents the Town as directed in meetings with county, other municipalities and State agency officials. The Town Planner assists the Town Clerk in planning related matters as needed. The Town Planner advises the Town as necessary on new or

advanced planning techniques. The Town Planner shall have the capabilities to prepare maps, reports and public presentations.

Professional Planner must have broad experience in municipal work, town planning, including master plans, zoning ordinances and special studies. In addition, the professional planning firm should have capability in some or all of the following professions: Landscape architecture, historic preservation, urban design, affordable housing and architecture.

### **Town Engineer**

The Town Engineer shall be a New Jersey licensed Professional Engineer (PE) and a Certified Municipal Engineer (CME), having a minimum of ten (10) years of continuous experience as an appointed municipal engineer in the State of New Jersey. Experience within municipalities within Hunterdon County is preferred. When directed, the Town Engineer shall provide services necessary to review and make recommendations concerning repairs, reconstruction and/or improvements to required municipal infrastructure. The Town Engineer shall also provide consultation, review and make recommendations relating to land use and land development applications regarding their conformity to applicable municipal requirements and ordinances, along with general compliance with state and county regulations and good engineering design practices. When directed, the Town Engineer shall observe the installation(s) of municipal and private site improvements, to determine conformance with municipal requirements and approvals granted by the Town Planning Board and/or Zoning Board of Adjustment. When directed, the Town Engineer shall provide services to assist municipal officers and departments, including assistance to the Construction Code Official with respect to issuance of building permits, certificates of occupancy and related permits associated with the land development and site infrastructure. When requested, the Town Engineer shall provide technical consultation with municipal officials, agents and boards, as directed. The Town Engineer must be familiar with all aspects of State of New Jersey, County of Hunterdon and Town of Clinton statutes, regulations and ordinances relating to the ownership, operation, maintenance, reconstruction and development of municipal infrastructure and municipal properties within the Town of Clinton.

### **Alternate Town Engineer**

To provide the services of Town Engineer in absence or disqualification of the Town Engineer.

### **Planning Board Attorney**

The Board Attorney shall be an attorney at law of New Jersey. The Board Attorney shall attend all regular and special Board meetings, which shall include routine phone calls with staff. The Board Attorney shall prepare and defend all litigation affecting the Board or any member of it, which is the result of decisions made on applications or in the normal performance of their official duties pursuant to the Municipal Land Use Law. The Board Attorney shall provide legal advice, research and assistance on any other special matters, which the Board may require to be addressed by the attorney. The Board Attorney shall draft all legal documents as may be required including preparation of documents, and review of deeds, covenants, easements, etc. The Board Attorney shall represent or advise the Board on any matter in which the Board may have a present or future interest.

### **Board of Adjustment Attorney**

The Board of Adjustment Attorney shall be an attorney at law of New Jersey. The Board of Adjustment Attorney shall attend all regular and special Board meetings, which shall include

routine phone calls with staff. The Board of Adjustment Attorney shall prepare and defend all litigation affecting the Board or any member of it, which is the result of decisions made on applications or in the normal performance of their official duties pursuant to the Municipal Land Use Law. The Board of Adjustment Attorney shall provide legal advice, research and assistance on any other special matters, which the Board may require to be addressed by the attorney. The Board of Adjustment Attorney shall draft all legal documents as may be required including preparation of documents, and review of deeds, covenants, easements, etc. The Board of Adjustment Attorney shall represent or advise the Board on any matter in which the Board may have a present or future interest.

### **Planning Board Engineer**

The Planning Board Engineer shall be a New Jersey licensed Professional Engineer (PE), having a minimum of ten (10) yeas of continuous experience as an appointed engineer to planning boards in the State of New Jersey. Experience with planning boards within Hunterdon County, New Jersey, is preferred. The Planning Board Engineer shall attend all regular and special Planning Board meetings, and provide assistance to board members and staff by responding to telephone conferences and correspondence. The Planning Board Engineer shall perform all duties specified under New Jersey state law and municipal codes and regulations including the determination of compliance with the Municipal Land Use Law (MLUL), Residential Site Improvement Standards (RSIS) and local regulations. The Planning Board Engineer shall prepare all reports associated with the review of all land development applications for site plan and land subdivision applications, under escrow agreements, established by applicants with the Planning Board. The Planning Board Engineer shall also provide any additional non-escrow services, such as reviews of ordinances as may be requested by the Planning Board.

### **Board of Adjustment Engineer**

The Town Board of Adjustment Engineer shall be a New Jersey licensed Professional Engineer (PE), having a minimum of ten (10) yeas of experience as an appointed engineer to a zoning board in the State of New Jersey. Experience with zoning boards within Hunterdon County, New Jersey, is preferred. The Town Board of Adjustment Engineer shall attend all regular and special Board of Adjustment meetings, and provide assistance to board members and staff by responding to telephone conferences and correspondence. The Town Board of Adjustment Engineer shall perform all duties specified under New Jersey state law and municipal codes and regulations including the determination of compliance with the Municipal Land Use Law (MLUL), Residential Site Improvement Standards (RSIS) and local regulations. The Town Board of Adjustment Engineer shall prepare all reports associated with the review of all land development applications for site plan and land subdivision applications, under escrow agreements, established by applicants with the Board of Adjustment. The Town Board of Adjustment Engineer shall also provide any additional non-escrow services, such as reviews of ordinances as may be requested by the Board of Adjustment.

### **Municipal Insurance Advisor**

The Municipal Insurance Advisor shall be a person licensed to sell insurance to public entities in the State of New Jersey and shall hold all licenses required to do so. The Municipal Insurance Advisor shall have knowledge, training and experience in all forms of municipal insurance including first and third party coverages, general liability, public officials, liability, property damage, automobile, flood insurance, surety, performance and maintenance bonds and all other types of insurance products necessary for the municipality. In addition, the insurance agent shall

have experience with and knowledge of participation by public entities in joint insurance funds. The Municipal Insurance Advisor shall evaluate the Town's operations and determine the level and scope of coverage necessary and shall make recommendations to the Town as to its insurance needs. He/she shall evaluate the availability and costs of insurance products and shall make recommendations to the governing body as to the most suitable and cost efficient means of insuring the Town and shall advise and assist the Town in connection with any claims that are made against the Town, The Municipal Insurance Advisor shall keep informed of the policies and procedures of any joint insurance fund of which the Town is a member and shall coordinate and facilitate the Town's inter-reactions with the joint insurance fund. He/she shall keep up to date with respect to the requirements of the joint insurance fund and shall keep the Town advised thereof. The Municipal Insurance Advisor shall be available to meet with the Town or its officials whenever necessary to do so. The Advisor shall also provide any necessary information to any Town carriers or joint insurance funds such as information about workers' compensation claims, loss runs, schedules of values or any other information required by the Town's joint insurance fund or carriers.

### **Sewer Engineer**

The Town Sewer Engineer shall be a New Jersey licensed Professional Engineer (PE) and a Certified Municipal Engineer (CME), having a minimum of ten (10) years experience as an appointed engineer to a municipality within the State of New Jersey, having direct ownership and operational responsibilities of a sanitary sewer collection, conveyance and sewage treatment system. When directed, the Town Sewer Engineer shall provide services necessary to review and make recommendations concerning municipal sanitary sewer infrastructure, repairs, reconstruction and/or improvements. The Town Sewer Engineer shall also provide consultation, review and make recommendations relating to sanitary sewer utility service associated with land use and land development applications to determine their conformity to applicable municipal and state criteria along with general compliance with good engineering design practices. When directed, the Town Sewer Engineer shall observe the installation(s) of municipal and private site sewer utility improvements, to determine conformance with municipal and state requirements and approvals granted by the Town Planning Board and/or Zoning Board of Adjustment, along with permits issued by the New Jersey Department of Environmental Protection (NJDEP). When directed, the Town Sewer Engineer shall provide services to assist the sewer plant operator and sewer department personnel, with respect to the operation and maintenance of the Town's Utility System. The Town Sewer Engineer must be familiar with all aspects of the State of New Jersey, County of Hunterdon and the Town of Clinton statutes, regulations and ordinances, relating to the ownership, operation and maintenance and reconstruction of the municipal sanitary sewer infrastructure. Specific expertise in providing professional services associated with the type of infrastructure owned and operated by the Town of Clinton is required.

### **Labor Counsel**

The Labor Counsel shall have knowledge of all areas of traditional labor relations law, including serving as lead negotiator in labor contract negotiations and collective bargaining; handling fact-finding and mediation; unfair practice defense; arbitration (grievance and interest); disciplinary proceedings, including police disciplinary hearings; union representation elections; strike injunctions. All areas of employment law, including designing and drafting employment agreements; drafting separation and consent discipline agreements; compliance with EEOC requirements; compliance with FLSA, FMLA and OSHA requirements; harassment &

discrimination prevention, training and investigations; employee handbook development; police department rules and regulations; employment litigation in state and federal courts.

The Labor Counsel shall have the following experience, training and skills:

- Minimum ten years of experience in public sector labor and employment law, including experience in employment litigation and police disciplinary hearings.
- Familiarity with practice before the Public Employment Relation Commission, Equal Employment Opportunity Commission, New Jersey Division on Civil Rights, and other relevant administrative agencies.
- Professional qualifications.
- Other such factors as the Town may consider appropriate under the circumstances.

### **Water Engineer**

In general, the Water Engineer will be called upon to provide consulting services which are customarily provided to municipal water systems as required to assist the Water Department Superintendent and Licensed Operator with the following areas of service:

- Regulatory compliance – including NJDEP, BPU, EPA, and regulatory agencies
- Capital improvement budget planning
- System operations and maintenance
- Attend monthly meetings with Water Committee and other water personnel,
- Assist with monthly, quarterly and annual reporting
- Maintenance of water system construction standards and system mapping
- Review of applications for service and service agreements
- Special projects relating to supply, distribution, quality
- Preparation of quarterly reports to Town Administrator on system performance
- Project Management of various water system improvement projects

The firm and individual selected will be required to rapidly gain a working knowledge of the existing water supply and distribution system, without additional costs to the Water Utility.

The Water Engineer shall possess the following experience, training and skills:

- NJ Licensed Professional Engineer with educational background in civil/environmental engineering (Master Degree or higher preferred)
- Local knowledge of water system service area
- Office location in close proximity and response time to Water Department offices
- 10-years minimum experience in water system consulting

- Demonstrated knowledge and experience in the water works industry and professional/technical trade organizations

**Alternate Water Engineer**

To provide the services of Water Town Engineer in absence or disqualification of the Town Engineer.