

*The Township Committee of the Township of Raritan met on April 7, 2015
at the Municipal Building, One Municipal Drive, Flemington, New Jersey*

**MEETING
CALLED**

Mayor O'Brien called the regular meeting to order at 7:05 p.m.

ROLL CALL

The following were present: Mayor Craig O'Brien, Deputy Mayor Karen Gilbert, Comm. Michael Mangin, Comm. Richard Chen and Comm. Louis Reiner. Also present was Adm. Jerry Giaimis and Attorney Richard Flaum.

**MEETING
ADVERTISED**

Mayor O'Brien advised that the meeting was advertised in accordance with the Open Public Meetings Act in the January 15, 2015 issue of the Hunterdon County Democrat and was posted on the office bulletin board and the Township Website.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mayor O'Brien asked all to join in the Pledge of Allegiance to our Flag and to remain standing for a Moment of Silence to remember our Men and Women serving in the Armed Forces and in Particular Those Serving In Troubled Areas Around the World.

**PUBLIC
COMMENT**

It is the policy of the Township Committee that all public comments on an issue shall be limited to three minutes per person. Public comment shall be permitted on items of concern regarding the agenda only. In addition, time will be allotted at the end of the meeting for public comment on any issue.

*** Frances Gavagin, East Amwell Township, said that she noticed that the Township is in need of a new Chief Financial Officer. She said that East Amwell has had seven CFO's in the past years. She attended several County Freeholder meetings in 2013 and was disturbed at what she was hearing. The County had appointed a new Acting CFO that very day. She asked the Township Committee to be open to considering who have been in the media and who, in her direct observation, did an outstanding job. She asked the Committee to have an open mind and be fair when hiring a CFO.

**FINANCIAL
ISSUES**

Payment of Bills as Listed for Raritan Township: **\$ 112,455.71**

Mayor O'Brien said that the dormers on the Municipal Building have been repaired.

Mayor O'Brien asked for a motion to approve the Bill List.

Motion was made by Comm. Mangin and seconded by Comm. Gilbert.

Roll Call Vote: Chen – yes
 Gilbert – yes
 Mangin – yes
 Reiner – yes
 O'Brien – yes

Motion carried.

Payment of Bills for the Raritan Township Fire Company: **\$ 30,691.64**

Comm. Gilbert asked about the CPR training. She wanted to know if that was paid on a regular basis. Comm. Mangin said that it was part of the PEOSHA training.

Mayor O'Brien asked for a motion to approve the Bills for the Fire Company.

Motion was made by Comm. Gilbert and seconded by Comm. Chen.

Roll Call Vote: Chen - yes
 Gilbert - yes
 Mangin – recuse
 Reiner – yes
 O'Brien – yes

Motion carried.

Snow Reports - March 20, 2015

Mayor O'Brien said that the total cost for snow removal this year was \$480,645. A little more than one half of that total was for salt and grit. He said that this is the single largest drive of the budget and is unplanned.

REPORTS

LIAISON REPORTS

Comm. Gilbert – Joint Parks and Recreation, Open Space, Public Works –
Comm. Gilbert said that regarding the pathway to the Dvoor Farm, she has been informed that the Dvoor property cannot be paved because it is ancient ground. There will be an electronics collection day at the County on Saturday, April 11, 2015. Another one will be held on October 10, 2015. She felt that these two dates were not acceptable because the County only allows eight hours per year for this recycling. Having only two dates makes it very inconvenient for people. She would like to see Raritan Township handle this service for its residents on a regular basis. There is dog training going on in Mine Brook Park. She sent the information to the police. There was no request from anyone to use the park and no insurance certificate was submitted. The police have spoken to the people in charge. She will continue to monitor this situation.

Michael Mangin – Planning Board, RTMUA, Board of Health - The Board of Health Meeting scheduled for March was cancelled. The RTMUA welcomed Lori Buza, Commissioner. The Planning Board heard AntSul-BWW – Buffalo Wild Wings. This matter was held over to the next meeting.

Richard Chen – Public Safety, Finance - No report.

Louis Reiner – Flemington-Raritan Schools, Hunterdon Central High School, Environmental Commission, Historians Committee – The Local Historians are planning a trip to Bethlehem, PA. He said that the State Butterfly 16 x 20 framed print is being worked on. There was a conflict with the Environmental Committee because they meet on the same night as the Township Committee. He plans on having another meeting with the Superintendent of Hunterdon Central High School. Clerk Sollena said that tickets for the Bethlehem trip are on sale in the Clerk's Office.

Craig O'Brien – Administration, Personnel – Mayor O'Brien welcomed Mr. Macmasters, Electrical Sub Code Official and Mr. Abraham, Fire Official and Fire Sub Code Official. He mentioned that Adm. Allan Pietrefesa is leaving the Township after 25+ years of employment as of April 30, 2015. The Shared Serviced Contract with Alpha Borough will have to be closed because Mr. Pietrefesa was supposed to spend 12 hours per week at Alpha Borough. There will be a 2% increase in the rental to Flemington Borough for the use of the Police Building for Court for the next two years.

**UNFINISHED
BUSINESS**

CHANGE ORDER #1 FOR SURVEY FOR KANGAS PROPERTY – Adm.

Giaimis said that a approval was given for an RFP last year to Heritage Consulting Engineering for a survey on the Kangas property. It has been determined in recent weeks that an additional \$400 is needed. Green Acres is requiring a separate meets and bounds description and the engineer has to mark the corners of the property. A resolution was adopted later in the meeting.

**NEW
BUSINESS**

BARLEY SHEAF 5K RUN ON SUNDAY, MAY 3, 2015

Adm. Giaimis said that everything is in order for this run. There will be 34 cones and 9 barricades provided. This run has been held over the last several years. Comm. Mangin said that the Fire Department participates in this run.

Mayor O'Brien asked for a motion to approve the Barley Sheaf 5K Run

Motion was made by Comm. Gilbert and seconded by Comm. Chen.

Vote: 5 – 0 motion carried.

LEASE AGREEMENT WITH FLEMINGTON BOROUGH FOR COURT

Adm. Giaimis said that there will be a 2% increase in the lease agreement with Flemington Borough. The first year will be \$10,710.00 and the second year will be \$10,908.00 which will be paid monthly. The contract has already been approved by Flemington Borough. A resolution was adopted later in the meeting.

PROFESSIONAL SERVICES CONTRACT FOR TAX ATTORNEY, MARTIN

ALLEN – Mayor O'Brien said that, at the last meeting, the Committee appointed Martin Allen as Tax Attorney. This is the approval for the Professional Services Contract. A resolution was adopted later in the meeting.

FLEMINGTON-RARITAN FIRST AID & RESCUE SQUAD RESOLUTION

Comm. Chen asked that this matter be tabled.

EDWIN B. SLONKA RE: 100% PROPERTY TAX EXEMPTION –

DISABLED VETERAN – Adm. Giaimis said that this is self-explanatory. Mr. Slonka is a 100% disabled veteran. A resolution was adopted later in the meeting.

EMPLOYER SUPPORT OF THE NATIONAL GUARD AND RESERVES

Jack Fearing, 3 Summit Trail, thanked the Committee for allowing him to come to the meeting to speak about the employer support of Garden Reserve. This is a program that was initiated in 1973 through the Department of Defense and it became statutory law in 1993 after Operation Desert Storm. It is called USERA of 1993 – United States Employment and Re-employment Act. This program supports members of the Uniform Services primarily Garden Reserve Members from different communities. Information is given about employment and re-employment. Also training is given and disputes are mediated with their employers. The program works with employers to recognize what their responsibilities include. This organization is based out of Fort Dix. There are approximately 300 members. There are also approximately 4,000 volunteers across the United States that work actively in this program. Clerk Sollena mentioned that Jack Fearing served as a member of the Board of Health several years ago.

ORDINANCES:

ORDINANCE #15-01

AMENDED ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING ORDINANCE #14-10 ESTABLISHING A SALARY AND WAGE PLAN FOR EMPLOYEES NOT COVERED BY A BARGAINING AGREEMENT AND PROVIDING FOR THE ADMINISTRATION THEREOF, SPECIFICALLY THE CHIEF FINANCIAL OFFICER.

Meeting opened to the public. No one appeared.

Mayor O'Brien asks for a motion to close the public hearing and adopt Ordinance #15-01 on final consideration, same to be published according to law.

Motion was made by Comm. Gilbert and seconded by Comm. Chen.

Roll Call Vote: Chen – yes
 Gilbert – yes
 Mangin – yes
 Reiner – yes
 O'Brien – yes

Motion carried.

**ORDINANCES
(Con't)**

ORDINANCE #15-02

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF A PERCENTAGE OF PROPERTY KNOWN AS BLOCK 20, LOT 3, COMMONLY KNOWN AS 113 OAK GROVE ROAD, AS SHOWN ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF RARITAN, FROM KATHY DAVINO AND PATRICIA DAVINO, AND APPROPRIATING THE NECESSARY FUNDS

*** Amy Green, Chair of the Open Space Committee, said that the Davino property, a 25 acre tract that is in the headwaters of the Wickecheoke Creek on the Croton Plateau. The Township previously adopted a resolution to use a portion of Green Acres funding towards the acquisition of this property. The Township Committee also submitted an application to Hunterdon County for use of Hunterdon County's funds for partial funding. There are no funds from the Township going towards the purchase of this property.

*** Marie Newell, 20 Meadow Lane, Lebanon, NJ, Project Coordinator of the New Jersey Conservation Foundation (NJCF) for fourteen years. NJCF has been working in the Wickecheoke watershed for over thirty years. This organization has helped preserve over 2,000 acres of open space. Raritan Township has been instrumental in helping with some of the headwaters. The Wickecheokie watershed is the drinking water source for the Delaware-Raritan Canal. It has been identified in the New Jersey Water Supply Authority's funding priorities. It has also been identified in the Master Plan of 2008 for Raritan Township as a critical resource and a Croton Plateau area to be preserved. Hunterdon County has also identified this area as a critical resource as does NJCF. In order to receive funding from Green Acres, Raritan Township must take interest in the property via the adoption of an ordinance. At closing, Raritan Township will then turn it over to NJCF. This property has been certified by Green Acres. Two appraisals were done on the property. They were both within 10% of each other. 50% of the soft costs for all three properties has been funded by New Jersey Water Supply Authority. The property will be open to the public with passive trails.

**ORDINANCES
(Con't)**

Adm. Giaimis said that the funding is coming from two sources, the Hunterdon County Open Space Fund and the Green Acres Grant. \$64,244 will be from Green Acres and \$80,280 from the County Open Space Fund for a total of \$144,524 which represents 48% interest in the property. Comm. Mangin said that it is always a win-win situation when the Township preserves land without it costing any taxpayer dollars.

Mayor O'Brien asked for a motion to introduce Ordinance #15-02 on first consideration, same to be published according to law with a public hearing and a vote scheduled for the meeting of May 5, 2015 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard.

Motion was made by Comm. Gilbert and seconded by Comm. Chen.

Roll Call Vote: Chen – yes
 Gilbert – yes
 Mangin – yes
 Reiner – no - *Comm. Reiner said that open space tax dollars which are still tax dollars could be put to better use in other areas.*
 O'Brien – yes

Motion carried.

CHRIS PHELAN – FLEMINGTON-RARITAN FIRST AID AND RESCUE SQUAD – Chris Phelan said that there is a ribbon cutting ceremony at V5 Cycles. The Mayor will attend. V5 Cycles is located next to Longhorne Steakhouse.

CORRESPONDENCE

- a. League of Municipalities: (All Information is on File in the Clerk's Office): NJ Supreme Court Decision Issued Yesterday Clarifying Municipal Redevelopment Powers; "How New Jersey Manages its Fiscally Distressed Cities"; "The 2015 Proposed Budget for the State of New Jersey: What it Means for New Jersey and its Municipalities"; "D" Variances Under the Municipal Land Use Law (MLUL): What Are They and How do They Get Approved?; New Jersey GMIS Annual Technology Education Conference; Pet Shop Disclosure Act; "A Review of the Open Public Records Act (OPRA); Weekly Policy Update; Pension and Health Benefits Reform; NJ Supreme Court Council on Affordable Housing (COAH) Ruling; Police Camera Mandate Reminder; States of Emergency for Snow Storms; 2016 State Aid Certification; Annual Financial Disclosure Statement; State Budget Developments; NJ Digital Government Summit; "D" Variances Under the Municipal Land Use Law"; A Review of the Tax Assessment Pilot Program;

**CORRES-
PONDENCE
(Con't)**

- b. City of Lambertville Resolution re: Strongly Opposing New Jersey Assembly Bill #4197 and Any Other Efforts Made by the Senator or Assembly to Reduce Funding for Historic Preservation
- c. National Trails Day – Saturday, June 6, 2015 – *Comm. Gilbert will speak to the Open Space Committee to have a formal activity for tours of open space properties.*
- d. NJ DEP re: NJ DEP re: Division of Fish and Wildlife Open House
- e. Hunterdon County Chamber of Commerce Newsletter – March, 2015 (Booklet on File in the Clerk's Office) – *Community Day for Hunterdon County will be held on June 12th, 12:30 – 6:30 p.m. at the Hunterdon County Park on Route 179.*
- f. Proclamation re: Nurses' Week – May 4 – 10, 2013
- g. NJ DOT Transportation Alternatives (TA) Program re: No Funding for Pedestrian and Streetscape Enhancement Project

NON-CONSENT AGENDA:

Application for Membership to the Raritan Township Fire Company:
Charlie (CJ) Davis

Adm. Giaimis said that Mr. Davis is a Fire Inspector and it is required that he be a member of the Fire Company.

Mayor O'Brien asks for a motion to approve the application for membership of Charlie (CJ) Davis to the Raritan Township Fire Company.

Motion was made by Comm. Gilbert and seconded by Comm. Chen.

Roll Call Vote: Chen – yes
 Gilbert – yes
 Mangin – recuse
 Reiner – yes
 O'Brien – yes

Motion carried.

NON-CONSENT AGENDA: (Con't)

Resolution #15-96 – Authorizing the Appointment of Brion Fleming as Foreman of the Public Works Department

Adm. Giaimis said that after several interviews, Don Hutchins, Comm. Gilbert and himself recommended the appointment Mr. Fleming as Foreman of the Public Works Department.

Mayor O'Brien asked for a motion to adopt Resolution #15-96.

Motion was made by Comm. Reiner and seconded by Comm. Chen.

Roll call Vote: Chen – yes
 Gilbert – yes
 Mangin – yes
 Reiner – yes
 O'Brien – yes

Motion carried.

Resolution #15-97 – Authorizing the Appointment of Michael Wright as Plumbing Inspector

This resolution was tabled.

**CONSENT
AGENDA**

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

Minutes:

Township Committee Minutes: February 17, 2015
 March 3, 2015
 March 11, 2015

Executive Session Minutes: February 3, 2015

Resolutions:

Resolution #15-89 – Authorizing the Mayor and Clerk to Sign Lease Agreement with Flemington Borough for Court

Resolution #15-90 – Change Order #1 for Survey for the Kangas Property - \$400.00

Resolution #15-91 – Escrow Refunds

Resolution #15-92 – Award of Contract for Animal Control Services

Resolution #15-93 – Authorizing a Professional Services Contract with Tax Attorney, Martin Allen

Resolution #15-94 – Authorizing Refund to Edwin B. Slomka – Veteran Tax Exemption – 100%

Resolution #15-96 – Authorizing the Appointment of Brion Fleming as Foreman of the Public Works Department

Mayor O'Brien asks for a motion to adopt the Consent Agenda with the removal of Resolution #15-92 – Award of Contract for Animal Control Services; Resolution #15-93 – Authorizing a Professional Services Contract with Tax Attorney, Martin Allen; Resolution #15-96 – Authorizing the Appointment of Brion Fleming as Foreman of the Department of Public Works.

Motion was made by Comm. Gilbert and seconded by Comm. Mangin.

Roll Call Vote: Chen – yes
 Gilbert – yes
 Mangin – yes
 Reiner – yes
 O'Brien – yes

Motion carried.

Resolution #15-93 – Authorizing a Professional Services Contract with Martin Allen, Tax Attorney

Mayor O'Brien said that Martin Allen was already appointed the Tax Attorney for the remainder of the year. This resolution is for a Professional Services Contract to set the rate.

Comm. Reiner said that that, in his opinion, Mr. Allen is inconsistent in the way he litigates tax appeals.

Mayor O'Brien asked for a motion to adopt Resolution #15-93.

Motion was made by Comm. Mangin and seconded by Comm. Gilbert.

Roll Call Vote: Chen – yes – *Comm. Chen said he would like to see the selection of the Tax Attorney be based on an open and comparable basis for 2016. Comm. Reiner agreed.*

Gilbert – yes
Mangin – yes
Reiner – no
O'Brien – yes

Motion carried.

Resolution #15-92 – Award of Contract for Animal Control Services

Mayor O'Brien said that the contract will be awarded to Animal Control & Investigative Services for a one year term

*** Tom Dodd, Animal Control Solutions, said that his company has been providing animal control services for the last year. The key to this job is the patrolling. He said that in one year, his company found 920 unlicensed animals on top of what the Township had the previous year. His company issued 120 summonses with a revenue of \$60,000. His contract price was \$36,000. He is a resident of Raritan Township and a disabled veteran. He said, on behalf of all veterans, he was glad that the Township signed the USERA Agreement. It was pivotal to him when he was released from the service.

Mayor O'Brien said that the contract was awarded to Animal Control & Investigative Services in the amount of \$27,600. There was a noticeable price difference from Mr. Dodd's price.

Mayor O'Brien asked for a motion to adopt Resolution #15-96.

Motion was made by Comm. Gilbert and seconded by Comm. Chen.

Roll Call Vote: Chen – yes
 Gilbert – yes
 Mangin – yes – *Comm. Mangin said that Tom Dodd did a good job. His decision was not based on Mr. Dodd's performance, only the numbers.*

 Reiner – no - *Mr. Reiner said that he does not know anything about Animal Control & Investigative Services. He does know Mr. Dodd and he would trust him with his life. He was happy with the services he has provided thus far. Comm. Reiner thanked Mr. Dodd for his services as a disabled veteran. That was the reason he is opposing the appointment the new company.*

 O'Brien – yes

Motion carried.

Resolution #15-96 – Authorizing the Appointment of Brion Fleming as Foreman of the Public Works Department

Resolution #15-96 was already adopted in the Non-Consent Segment of the Meeting.

**PRIVILEGE
OF THE
FLOOR**

Anyone may address the Committee on any issue for three (3) minutes

Nate Barson, Animal Control & Investigative Services, said that he worked with Raritan Township in the past. He is on call 24 hours, 7 days a week, 365 days a year. He has worked well with the Police Department and the residents in the past. He also works with local animal rescues not only to make sure that the animal control provided to the residents is top notch, but also the quality of care to the animals themselves is top notch.

**Resolution #15-98 – CLOSED SESSION:
Personnel – Plumbing Inspector**

Mayor O'Brien asked for a motion to adopt Resolution #15-98.

Motion was made by Comm. Gilbert and seconded by Comm. Reiner.

Vote: 5-0 motion carried.

**CLOSED
SESSION**

Closed Session Minutes are on a separate document.

**OPEN
SESSION**

The Committee went back into Open Session.

**FURTHER
ACTION**

**Resolution #15-97 – Authorizing the Appointment of Michael Wright
as Plumbing Inspector for a Period up to Four (4)
Months at a Rate of \$35.00**

Mayor O'Brien asked for a motion to adopt Resolution #15-97 as amended.

Motion was made by Comm. Gilbert and seconded by Comm. Chen.

Roll Call Vote: Chen – yes
 Gilbert – yes
 Mangin – yes
 Reiner – yes
 O'Brien – yes

Motion carried.

**ANNOUNCE-
MENT**

There will be a Special Meeting for discussion and Introduction of the 2015 Budget to be held on Tuesday, April 14, 2015 beginning at 5:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey.

**ADJOURN-
MENT**

Mayor O'Brien asked for a motion to adjourn the meeting

Motion was made by Comm. Mangin and seconded by Comm.

Vote: 5 – 0 motion carried.

Meeting adjourned at: 8:40 p.m.

Respectfully submitted,

Rose Sollena, RMC/CMC
Township Clerk

