

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, APRIL 2, 2019**

MEETING CALLED: Mayor Kuhl called the regular meeting to order at 6:32 p.m.

ROLL CALL: The following were present: Mayor, Jeff Kuhl; Deputy Mayor, Louis Reiner; Comm. Karen Gilbert; Comm. Gary Hazard; Comm. Michael Mangin

ABSENT: None.

ALSO PRESENT: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Township Attorney, Ed Purcell; Special Counsel on Affordable Housing, John Belardo

MEETING NOTICED: Mayor Kuhl advised that the meeting was advertised in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975 in the January 8, 2019 issue of the Courier News and noticed to the Hunterdon County Democrat, Star Ledger, TapInto, Express Times and posted on the municipal bulletin board and the Township website.

Attorney, Ed Purcell, read Resolution #19-95 in full.

Mayor Kuhl asked for a motion to approve Closed Session Resolution.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-95

RESOLUTION RETIRING INTO EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, as follows:

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

- | | | |
|----|----------------------------|--|
| a) | Contract Negotiations: | Hunterdon Central Regional High School
Class III Officers |
| b) | Personnel: | Non-union salary increases |
| c) | Attorney-Client Privilege: | |

d) Pending Litigation: Affordable Housing

3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.

4. The Committee will return to Regular Session and may take further action.

5. This Resolution shall take effect immediately.

CLOSED SESSION MINUTES #1 WILL BE DONE IN A SEPARATE DOCUMENT

The regular meeting reconvened at 7:08 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Mayor Kuhl 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.

AMEND/APPROVE THE AGENDA

Mayor Kuhl asked for a motion to amend or approve the Agenda.

Motion by Reiner, seconded by Hazard to approve the Agenda.

ROLL CALL VOTE:

AYES: Gilbert, Hazard Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

PROCLAMATION – EAGLE SCOUT AWARD (Gregory F. Venezia) – Mayor Kuhl invited Eagle Scout, Gregory Venezia, to the dais. Mayor Kuhl recognized Gregory for his outstanding achievement and read the following proclamation into the record.

**A PROCLAMATION HONORING GREGORY F. VENEZIALE
FOR THE ACHIEVEMENT OF EAGLE SCOUT**

WHEREAS, Gregory F. Venezia of Boy Scout Troop 65 has earned the rank of Eagle Scout, the highest rank in scouting; and

WHEREAS, the rank of Eagle Scout is attained by fewer than four percent of all scouts and represents the accomplishment in leadership, exceptional commitment to community and an understanding of the Scout Oath and Law; and

WHEREAS, the rank of Eagle Scout is an honor in which we recognize Gregory's diligent work and dedication and celebrate the foundation he has created for a lifetime of active citizenship; and

WHEREAS, the Boy Scouts of America encourages Eagle Scout candidates to complete worthy projects to improve their neighborhoods, community and the region; and

WHEREAS, Gregory has devoted endless hours fulfilling the many requirements for the advancement in scouting including attaining merit badges; holding prerequisite ranks and offices; the completion of an Eagle Scout project; and examination by the Eagle Scout Board of Review; and

WHEREAS, Gregory has completed the reconstruction of an outdoor display for the Black River and Western Railroad Historical Trust at the Ringoes Station.

NOW, THEREFORE BE IT PROCLAIMED on this 23rd day of March, two thousand nineteen, by the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Gregory F. Venezia, member of Boy Scout Troop 65 is hereby recognized and honored for his achievement of the prestigious rank of Eagle Scout and that sincere congratulations and best wishes be extended for a successful future.

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.

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenview Drive, spoke in opposition to Resolution #19-96 authorizing the expenditure of open space funds for the installation, monitoring and maintenance of a deer enclosure at Morales Park Preserve; and suggested a resolution opposing the New Jersey Division of Fish and Wildlife's policy for "growing" the white-tailed deer population.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: **\$2,755,418.61**

Mayor Kuhl asked for a motion to approve the bill list for Raritan Township.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

Payment of Bills as listed for the Raritan Township Fire Company: **\$9,736.49**

Mayor Kuhl asked for a motion to approve the bill list for the Raritan Township Fire Company.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

RECUSE: Mangin

REPORTS

The following reports were acknowledged by the Committee:

Tax Collector – February 2019

LIAISON REPORTS

Karen Gilbert: Environmental Commission/Green Team; Open Space; Parks and Recreation; Planning Board (Class III Member)
Committee Member Gilbert advised that she did not attend the last Planning Board meeting as she was on vacation and announced the upcoming meeting date for the Parks and Recreation Committee.

Gary Hazard: Court/Police; RTMUA
Committee Member Hazard reported that there is an efficiency study underway with the RTMUA.

Jeff Kuhl: Planning Board (Class I Member); Personnel; Finance; Historians, Open Space
(Mayor)
Mayor Kuhl reported that the 2019 Municipal Budget was introduced April 2, 2019; reported on meetings of the Open Space Advisory Committee and Planning Board advising that discussion was held regarding potential open space properties, location and financing and that one minor subdivision application before the Planning Board was carried to a May meeting due to the unpreparedness of the applicant.

Michael Mangin: Board of Health; Finance; Public Works
Committee Member Mangin reported on a meeting of the Board of Health advising of one septic waiver approval and the introduction of the noise ordinance; announced the date of April 18 for the adoption and public hearing of the 2019 Municipal Budget.

Louis Reiner:
(Deputy Mayor)

Agriculture Advisory Board; Fire/Rescue/OEM; Wildlife Management
Advisory Committee

Deputy Mayor Reiner announced that local farmers and a representative from the NJ Division of Fish and Wildlife will be in attendance at the next Wildlife Management Advisory Committee meeting to speak on the impact of the deer population on crops.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

Request for use of Lenape Park by Flemington VFW Post 7856 for Annual Easter Egg Hunt, Saturday, April 13, 2019 at 12:00 p.m.; rain date, Sunday April 14 – Mayor Kuhl explained that Flemington VFW Post 7856 is requesting use of Lenape Park, Sunday, April 14 for its annual Easter Egg Hunt.

Motion by Reiner, seconded by Gilbert to approve request by Flemington VFW 7856 for use of Lenape Park for its annual Easter Egg Hunt, Sunday, April 14 subject to proof of insurance.

MOTION UNANIMOUSLY CARRIED

Hunterdon County’s recommendation for a speed zone change at County Route 579 and Old Croton Road – Mayor Kuhl explained that due to the occurrences of crashes at the intersection of County Route 579 and Old Croton Road and requests from local residents, the County had performed an engineering study of the intersection and is seeking endorsement for a proposed speed limit change. He continued that the recommendation includes lengthening the 30-mph speed zone north of the intersection by 400 feet.

Committee Member Gilbert requested that the record reflect that the County is also recommending increased enforcement of the 30-mph speed limit. Mayor Kuhl and Mr. Hutchins advised that such enforcement is in effect.

Motion by Reiner, seconded by Gilbert to direct Mr. Hutchins to proceed with notification to the County of the Township’s endorsement of the recommended speed zone change.

MOTION UNANIMOUSLY CARRIED

ORDINANCES (INTRODUCTION/FIRST READING)

Mayor Kuhl read by title Ordinance #19-08.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING TITLE 16 ENTITLED "ZONING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY REVISING SECTION 16.02.030 ENTITLED "DEFINITIONS" OF CHAPTER 16.02 ENTITLED "PURPOSE, ADMINISTRATION, DEFINITIONS;" ADDING NEW CHAPTER 16.71 ENTITLED "COLLOCATION, REMOVAL AND REPLACEMENT OF WIRELESS ANTENNAS ON EXISTING FACILITIES;" AND REVISIONS TO SCHEDULE IV ENTITLED "FEES"

Mr. Purcell explained that the proposed ordinance sets forth an administrative procedure in the Township's Zoning Code to comply with an expedited review process for the collocation of certain antennas onto existing towers and base stations.

Mayor Kuhl asked for a motion to introduce Ordinance #19-08 on first consideration.

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for May 21, 2019.

Mayor Kuhl read by title Ordinance #19-11.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2.56 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN ENTITLED "POLICE DEPARTMENT" BY ADDING SECTION 2.56.200 ENTITLED "CLASS III SPECIAL LAW ENFORCEMENT OFFICERS"

Mr. Purcell explained that the proposed ordinance creates a new Special Law Enforcement Officer Class III designation. He continued that the position is part-time; that officers will be hired and reappointed by the Township Committee annually; provide protection in the schools; and supervised by the Police Chief.

Mayor Kuhl asked for a motion to introduce Ordinance #19-11 on first consideration.

Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for April 16, 2019.

ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)

Mayor Kuhl read by title Ordinance #19-09.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, ACCEPTING A DEED OF EASEMENT FOR RIGHT OF WAY; ACCESS EASEMENT; CONSERVATION EASEMENT; DETENTION BASIN, DRAINAGE AND CONSERVATION EASEMENT; AND DRAINAGE EASEMENT FROM FALLONE GROUP, L.L.C.

Mayor Kuhl asked for a motion to open public hearing.

Motion by Reiner, seconded by Gilbert

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-09 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

ORDINANCE #19-09

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, ACCEPTING A DEED OF EASEMENT FOR RIGHT OF WAY; ACCESS EASEMENT; CONSERVATION EASEMENT; DETENTION BASIN, DRAINAGE AND CONSERVATION EASEMENT; AND DRAINAGE EASEMENT FROM FALLONE GROUP, L.L.C.

WHEREAS, Fallone Group, L.L.C. (“Developer”) applied to the Planning Board of the Township of Raritan for preliminary and final major subdivision approval for a residential cluster consisting of eleven (11) single family lots, and one Open Space Lot (“Project”), with one of the eleven (11) single family lots to remain with M.S.E., Inc. (“Owner”), and the Planning Board granted Preliminary Approval for the Project, which was memorialized in Resolution No. 16-2017, dated November 8, 2017, and Final Approval for the Project, which was memorialized in Resolution No. 16-2018, dated September 26, 2018; and

WHEREAS, the Final Approval requires Fallone Group, L.L.C. to grant a Deed of Easement for Right of Way to The Township of Raritan over and across a portion of Block 79, Lot 18 as shown on the Township of Raritan Tax Map; and

WHEREAS, the Final Approval requires Fallone Group, L.L.C. to grant an Access Easement over a portion of Block 79, Lot 18.33 (as shown on the Township of Raritan Tax Map after subdivision) to The Township of Raritan and Meadowbrook Estates, HOA; and

WHEREAS, the Final Approval requires Fallone Group, L.L.C. to grant a Conservation Easement over a portion of Block 79, Lot 18.34 (as shown on the Township of Raritan Tax Map after subdivision) to The Township of Raritan; and

WHEREAS, the Final Approval requires Fallone Group, L.L.C. to grant a Detention Basin, Drainage and Conservation Easement to The Township of Raritan over Block 79, Lot 18.34 as shown on the Township of Raritan Tax Map; and

WHEREAS, the Final Approval requires Fallone Group, L.L.C. to grant a Drainage Easement over a portion of Block 79, Lot 18.26 (as shown on the Township of Raritan Tax Map after subdivision) to The Township of Raritan and Meadowbrook Estates, HOA, Inc.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized to sign the Deed of Easement for Right of Way; Access Easement; Conservation Easement; Detention Basin, Drainage and Conservation Easement; and Drainage Easement from Fallone Group, L.L.C., as discussed in the Ordinance.
2. The five (5) Easements are attached.
3. This Ordinance shall become effective according to law.

Mayor Kuhl read by title Ordinance #19-10.

AN ORDINANCE REAPPROPRIATING \$41,259.10 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR CONTINUING SOIL/ENVIRONMENTAL REMEDIATION IN AREA OF POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Kuhl asked for a motion to open public hearing.
Motion by Gilbert, seconded by Hazard
MOTION UNANIMOUSLY CARRIED

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenview Drive, inquired as to the status of the soil and environmental remediation in the area of the Police Department, the contaminants, and the timeline from completion.

Mr. Hutchins explained that there are four wells testing above the allowable limits for certain compounds and that there has to be four consecutive samplings at or below the allowable limits. He continued that the remediation will be done this year; that testing will continue for another one to two years; and that he was not sure of the exact contaminants exceeding the limits.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-10 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

ORDINANCE #19-10

AN ORDINANCE REAPPROPRIATING \$41,259.10 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR CONTINUING SOIL/ENVIRONMENTAL REMEDIATION IN AREA OF POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$41,259.10 of the proceeds of obligations originally made available pursuant to the following bond ordinance of the Township of Raritan, in the County of Hunterdon, New Jersey (the "Township") are no longer necessary for the purpose for which the obligations previously were authorized:

Ordinance Number	Improvement Description and Date of Adoption	Amount to be Reappropriated
#15-13	Reconstruction of Roads in Section 1 of the Sunny Hills area of the Township of Raritan. (9/1/15)	\$41,259.10

Section 2. \$41,259.10 described in Section 1 hereof and made available pursuant to N.J.S.A. 40A:2-39, is hereby reappropriated to provide for continuing soil/environmental remediation in area of police department.

Section 3. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

CORRESPONDENCE

There was no correspondence.

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of March 19, 2019.
 Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

- AYES:** Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
- NOES:** None
- ABSTAIN:** None
- ABSENT:** None

Township Committee Executive Session Meeting Minutes

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes of March 19, 2019.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

Resolutions

There were no resolutions.

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.

Committee Member Reiner asked for clarification regarding the appointment of three Health Insurance Portability and Accountability Act (HIPPA) officers. Mr. Hutchins explained that because the Township is self-insured, the HIPPA law requires that Privacy Officers be appointed and designated to ensure compliancy with the law. He continued that the proposed resolution appoints three individuals, with the addition of himself, as he requires access to medical information in order to administer the plan.

Mayor Kuhl asked for a motion to approve the Consent Agenda.

Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-96

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF OPEN SPACE FUNDS
FOR THE INSTALLATION, MONITORING AND MAINTENANCE OF A DEER
ENCLOSURE AT MORALES PARK PRESERVE**

WHEREAS, the Township Committee of the Township of Raritan has determined that the overpopulation of whitetail deer that exists within the Township is a threat to the health safety and welfare of its residents; and

WHEREAS, the Township Committee of the Township of Raritan has determined that the overpopulation of whitetail deer that exists in the Township is causing the degradation of the local environment; and

WHEREAS, the Wildlife Management Advisory Committee has recommended that the Township authorize the installation of a deer ex-closure at the Morales Park Preserve; and

WHEREAS, the Township Committee of the Township of Raritan wishes to monitor the effectiveness of a deer ex-closure as proposed by the Wildlife Management Advisory Committee; and

WHEREAS, Raritan Valley Community College can provide a very comprehensible and cost-effective installation of deer ex-closure fencing, monitoring and maintenance; and

WHEREAS, the total cost of the installation, monitoring and maintenance for one year of the deer ex-closure at Morales Park Preserve will not exceed \$2,489.00 and will be funded by the receipts from the Licensing of Archery Hunting Rights as part of the Township's Open Space Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Township hereby authorizes the Administrator to execute an M.O.U. with Raritan Valley Community College for the scope of their services of providing for the installation, monitoring and maintenance of a deer ex-closure at the Morales Park Preserve for one year for a sum not to exceed \$2,489.00.

RESOLUTION #19-97

A RESOLUTION APPOINTING AND DESIGNATING THREE (3) HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) PRIVACY OFFICERS FOR THE TOWNSHIP OF RARITAN

WHEREAS, because the Township of Raritan is self-insured, HIPAA requires that the Township appoint and designate Privacy Officers to ensure compliance with the law; and

WHEREAS, in furtherance of this goal, the Township's Privacy Officers will be tasked with building a strategic and comprehensive privacy program that defines, develops, maintains and implements policies and processes that enable consistent, effective privacy practices which minimize risk and ensure the confidentiality of protected health information, paper and/or electronic, across all media types and ensure that privacy forms, policies, standards and procedures are all up to date; and

WHEREAS, the Township's Privacy Officers will conduct compliance monitoring activities; and

WHEREAS, the Township's Privacy Officers will develop and deliver initial and ongoing training to the workforce of the Township relevant to HIPAA requirements; and

WHEREAS, the Township's Privacy Officers will develop and administer a process for investigating privacy security complaints; and

WHEREAS, in carrying out these tasks, the Township’s Privacy Officers will seek legal advice from the office of the Township Attorney and remain subject to the supervision of the Township Committee of the Township of Raritan.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Township Committee appoints William B. Pandos, Kristi Gano and Donald Hutchins as the Township HIPAA Privacy Officers.

RESOLUTION #19-98

**A RESOLUTION AUTHORIZING \$250 TAX REFUND
DUE TO VETERAN DEDUCTION**

WHEREAS, the Township Tax Collector has recommended the refund of this overpayment; and

WHEREAS, there exists an overpayment of taxes paid to the Tax Collector of the Township of Raritan.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the following receive a refund in the amount specified.

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>
Thomas S. Wagner (100 Old Clinton Road)	\$250.00	4	10

RESOLUTION #19-99

**A RESOLUTION AMENDING RESOLUTION #19-94 DIRECTING
PAYMENT TO ROTIMI OWOH, ESQ.**

WHEREAS, the Township Committee of the Township of Raritan adopted Resolution #19-94 which directed the Township Attorney to enter a stipulation of dismissal for an OPRA complaint brought against the Township; and

WHEREAS, Resolution #19-94 also directed that payment of reasonable attorneys’ fees be made in the amount of \$4,000.00 to the African American Data and Research Institute (“AADARI”), the Plaintiff in the above captioned matter; and

WHEREAS, Counsel for AADARI, Mr. Rotimi A. Owoh, Esq., on behalf of AADARI, requests that this payment be made directly to him; and

WHEREAS, the Township Chief Financial Officer has certified that the \$4,000.00 in funds are still available to pay to settle this matter.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, as follows:

1. The 2nd “Now, Therefore, Be it Resolved Clause” of Resolution #19-94 is amended to provide that the Township’s Chief Financial Officer is authorized to, upon direction of the Township Attorney, issue payment in the sum of four thousand dollars (\$4,000.00) to Rotimi A. Owoh, Esq., and transmit same to the Law Offices of Rotimi A. Owoh, Esq. at 100 Overlook Drive, 2nd Floor, Princeton, New Jersey, 08540. Notwithstanding the foregoing, no such moneys shall be transmitted until Mr. Owoh provides the Township with an executed W-9 form and a Business Registration Certificate.
2. That this Resolution shall take effect immediately.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenview Drive, commented on letters received by residents regarding arsenic levels and use of arsenic by farmers in the early 1900’s, that the Township should be investigating pollutants in open space lands; and asked about the number of tests performed on open space soils.

During Public Comment, Mayor Kuhl advised that all open space soils are tested before they are purchased. Committee Member Gilbert commented that, “arsenic is a naturally occurring substance” and that the Township follows state regulations for soil testing. Committee Member Gilbert also advised that the Township offers well testing, sponsored through Raritan Headwaters, in October for residents.

Ms. Sachau requested a copy of the state regulations for soil testing.

At this time, Mayor Kuhl announced that the Committee will reconvene closed session to discuss matters regarding contract negotiations concerning Hunterdon Central Regional High School Class III Officer; Personnel concerning non-union salary increases; and Pending Litigation regarding affordable housing. Mayor Kuhl advised that the regular meeting will not reconvene and no action will be taken.

Closed Session reconvened at 7:40 p.m.

CLOSED SESSION MINUTES #2 WILL BE DONE IN A SEPARATE DOCUMENT

ADJOURNMENT

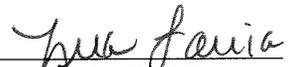
Mayor Kuhl asked for a motion to adjourn.

Motion by Reiner, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:10 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk