

**RARITAN TOWNSHIP COMMITTEE MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, APRIL 4, 2017**

MEETING CALLED: Mayor Gilbert called the regular meeting to order at 6:33 p.m.

ROLL CALL: The following were present: Comm. Richard Chen; Comm. Michael Mangin; Comm. Craig O'Brien; Comm. Lou Reiner; and Mayor Karen Gilbert.

MEETING ADVERTISED: Mayor Gilbert advised that the meeting was noticed on January 11, 2017 in accordance with the Open Public Meetings Act by providing notice to the Courier News, Star Ledger, Trenton Times, Express Times and Hunterdon County Democrat and was posted on the municipal bulletin board and the Township Website.

Township Attorney Lehrer read Resolution #17-69 in full.

At this time, Mr. Lehrer requested the addition of Cross River Fiber under contract negotiations

Mayor Gilbert asked for a motion to approve the Closed Session Resolution as amended.
Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-69

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: Cross River Fiber
 - b) Personnel: Longevity, Property Maintenance Inspector
 - c) Pending Litigation:
 - d) Attorney-Client Privilege:
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 come back into Regular Session and may take further action.
5. This Resolution shall take effect immediately.

CLOSED SESSION MINUTES ARE COMPLETED IN A SEPARATE DOCUMENT

The regular meeting reconvened at 7:03 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Mayor Gilbert 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.

SWEARING IN OF POLICE OFFICERS

Mayor Gilbert read Resolution #17-91 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-91.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-91

WHEREAS, the Mayor and Township Committee of the Township of Raritan are desirous of filling a vacancy within the Raritan Township Police Department; and

WHEREAS, after interviews and reviews of applicants, Chief of Police, Glenn S. Tabasko recommended that Sgt. Benedict Donaruma be promoted and appointed to the position of Lieutenant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee that the following officer is hereby appointed:

Benedict Donaruma
Promoted and Appointed to Lieutenant
Effective April 4, 2017

Mayor Gilbert read Resolution #17-92 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-92.

Motion by Chen, seconded by Reiner

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-92

WHEREAS, the Mayor and Township Committee of the Township of Raritan are desirous of filling a vacancy within the Raritan Township Police Department; and

WHEREAS, after interviews and reviews of applicants, Chief of Police, Glenn S. Tabasko recommended that Off. Robert Landolina be promoted and appointed to the position of Sergeant.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee that the following officer is hereby appointed:

*Robert Landolina
Promoted and Appointed to Lieutenant
Effective April 4, 2017*

AMEND/APPROVE THE AGENDA

Mayor Gilbert advised that action regarding Resolution #17-90, appointment of a Commissioner to the RTMUA, be carried to a future scheduled meeting for consideration of additional applicants.

Mayor Gilbert asked for a motion to approve the Agenda as amended.

Motion by Reiner seconded by Chen

MOTION UNANIMOUSLY CARRIED

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 Glenway Drive

FINANCIAL ISSUES

Mayor Gilbert read Resolution #17-100 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-100.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert

NOES: O'Brien

ABSTAIN: None

ABSENT: None

RESOLUTION #17-100**SELF-EXAMINATION OF 2017 BUDGET**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Raritan has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the **201& budget year**.

NOW THEREFORE BE IT RESOLVED by the governing body of the Township of Raritan that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:

- a. Payment of interest and debt redemption charges
- b. Deferred charges and statutory expenditures
- c. Cash deficit of preceding year
- d. Reserve for uncollected taxes
- e. Other reserves and non-disbursement items
- f. Any inclusions of amounts required for school

purposes.

2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).

3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.

4. That pursuant to the Local Budget Law:

- a. All estimates of revenue are reasonable, accurate and correctly stated,
- b. Items of appropriation are properly set forth
- c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

2017 MUNICIPAL BUDGET INTRODUCTION

Mayor Gilbert read Resolution #17-70 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-70.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert

NOES: O'Brien

ABSTAIN: None

ABSENT: None

RESOLUTION INTRODUCED

(A COPY OF BUDGET RESOLUTION #17-70 IS HEREWITH ATTACHED
AND MADE A PART OF THESE MINUTES)

Second reading and public hearing date scheduled for May 2, 2017.

Payment of Bills as listed for Raritan Township: **\$1,074,761.19**

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

Motion by Mangin, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

Payment of Bills as listed for Raritan Township Fire Company: **\$16,263.39**

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

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RECUSE: Mangin

LIAISON REPORTS

Karen Gilbert: Historians, Finance, Planning Board (Class I)
No report.

Michael Mangin Planning Board (Class II, RTMUA)
Deputy Mayor Mangin reported on a meeting of the Planning Board including an update on the status of the WAWA (Route 202/31), Hindu Temple (Barley Sheaf Road), and Flemington-Raritan First Aid and Rescue Squad (Royal Road) applications. Deputy Mayor Mangin also advised that the RTMUA will be in attendance for the May 2 Township Committee meeting to address capacity.

Louis Reiner: Environmental Commission, Green Team, Fire/Rescue/OEM,
No report.

Richard Chen: Finance, Open Space, Parks & Recreation
Committee Member Chen reported that both the Open Space and Wildlife Management Advisory Committees are submitting grants; and provided an update regarding Professor Jay Kelly's (Raritan Valley Community College) survey of Township open space parcels and a grant opportunity for signage of such.

Craig O'Brien: Open Space
No report.

UNFINISHED BUSINESS

a. RTMUA appointment (Resolution #17-90) – Mayor Gilbert reiterated that the proposed resolution will be carried to a future scheduled meeting.

At this time, Committee Member O'Brien inquired as to the status of the Fire Marshal State reports. Mr. Hutchins to follow up and advise accordingly.

NEW BUSINESS

a. Comprehensive Farmland Preservation Plan – Mayor Gilbert explained that Maser Consulting is seeking additional fees due to extenuating circumstances. Mr. Lehrer continued that, “it appears that the basis for their request is due to the departure of the Township Administrator and Planner...and the need to reestablish communication paths and interactions with other Township staff.” Mr. Hutchins expressed the opinion, “that there may be an additional \$1,000 work at most.”

Mayor Gilbert added that, “Don, Richard and I participated in a meeting with Maser and they advised they were done, that they just needed to go back and revisit the data that was identified as incorrect, change the criteria. Then the Township was to provide information to be included, to identify the areas for farmland preservation. It is virtually done.”

b. Flemington Midget Football sprinkler request (Resolution #17-99)– Mr. Hutchins explained that the Flemington Midget Football organization has requested to install a sprinkler system on Township-owned property. He continued that Township Engineer, Tony Hajjar, reviewed the contract and advised that approval for any additional work must be authorized by resolution. Mr. Hutchins further advised that the contract permits such improvements which have been approved by the Township Engineer. It was the consensus to proceed.

ORDINANCES (FINAL ADOPTION, PUBLIC HEARING)

Mayor Gilbert read by title Ordinance #17-07.

At this time, Mr. Lehrer requested that action on the proposed ordinance, Calendar Year Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A 40A:4-45.14) be carried to a future meeting, as additional information is necessary regarding publishing requirements.

Mr. Hutchins explained that the official newspaper was changed to the Courier News due to the inability to meet the Hunterdon County Democrat’s weekly deadline of Tuesday at noon for the Thursday issue. Mr. Hutchins also advised that the Hunterdon County Democrat nor any other newspaper publishes in the County.

Mayor Gilbert asked for a motion to carry the public hearing on Ordinance #17-07 to the meeting of April 18, 2017.

Motion by Mangin, seconded by Mayor Gilbert.

ROLL CALL VOTE:

AYES: Chen, Mangin, O’Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCES (INTRODUCTION, FIRST READING)

Mayor Gilbert read by title Ordinance #17-08.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING TITLE 3 ENTITLED "REVENUE AND FINANCE" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN TO INCLUDE CERTAIN FEE EXEMPTIONS FOR VETERANS

Mayor Gilbert asked for a motion to introduce Ordinance #17-08 on first consideration.

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for April 18, 2017.

CORRESPONDENCE

- a. Email from Robert Geremia regarding sewer authority position
 - b. Letter from Unionville Vineyards LLC regarding winery outlet/salesroom at Shop Rite
 - c. Email from Kevin Watsey/New Jersey American Water regarding water flushing schedule
 - d. Letter from Hunterdon County Agriculture Development Board regarding CADB monthly meeting packet distribution
 - e. Flemington-Raritan Regional Board of Education March 13, 2017 meeting minutes
 - f. Email from Rosemary Bonney, NJ ABC regarding license for Skunktown Distillery, LLC
 - g. Email from Jeanne Clayton regarding pet store regulations
 - h. Letter from the NJDCA, Local Planning Service regarding planning assistance applications
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NON-CONSENT

Mayor Gilbert reiterated that Resolution #17-90, appointment of a commissioner to the RTMUA, would be tabled for consideration at a future regular meeting.

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 Members requested the removal of Resolution #17-95, authorize interlocal agreement with Hunterdon Central Regional High School District; #17-96 authorization to hire property maintenance inspector; and #17-97, authorization to execute an agreement with Cross River Fiber for further consideration.

Mayor Gilbert read the following resolutions by title.

Mayor Gilbert asked for a motion to adopt the Consent Agenda as amended.

Motion by Mangin, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

MINUTES

Township Committee Executive Session Meeting Minutes of November 14 and December 6, 2017.

RESOLUTION #17-93

WHEREAS, DBC4 (Lenteni) has requested a refund of its Board of Adjustment Fee; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated March 22, 2017, and recommended the refund of the Board of Adjustment Fee BOA – 15-2016 in the amount of \$1,000.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Board of Adjustment Fee in the amount of \$1,000.00 paid by DBC4 (Lenteni), is hereby refunded.

RESOLUTION #17-94

WHEREAS, DBC4 (Lenteni) has requested a refund of its Developer's Escrow; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated March 22, 2017, and recommended the refund of the Developer's Escrow BOA – 15-2016 in the amount of \$455.61.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Developer's Escrow in the amount of \$455.61 paid by DBC4 (Lenteni), is hereby refunded.

RESOLUTION #17-98

WHEREAS, Padero Loer USA, Inc. in February, 201 posted a \$850,645.20 Cash Performance Bond; and

WHEREAS, Padero Loer USA, Inc. has requested a reduction its cash bond; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the reduction the Cash Performance Bond to \$\$673,332.60.

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 Cash Performance Bond posted by Raritan Junction, LLC be reduced to \$673,332.60.

RESOLUTION #17-99

WHEREAS, Flemington Midget Football and Cheer has requested permission to install a sprinkler system on township-owned field at 154B Route 31 N; and

WHEREAS, Township Engineer, Antoine Hajjar, has reviewed the request; and

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 request by Flemington Midget Football and Cheer to install a sprinkler system in the township-owned field located at 154B Route 31 North is approved.

Mayor Gilbert read Resolution #17-95 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-95.

Motion by O'Brien, seconded by Mangin

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-95

RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF INTERLOCAL SCHOOL RESOURCE OFFICER AGREEMENT BETWEEN HUNTERDON CENTRAL REGIONAL HIGH SCHOOL BOARD OF EDUCATION AND THE TOWNSHIP OF RARITAN

WHEREAS, N.J.S.A. 40A:65-1 et seq., authorizes a local unit to enter into a shared services agreement with another local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive; and

WHEREAS, the Hunterdon Central Regional High School Board of Education (“Hunterdon Central”) has determined that a full-time school resource officer would improve school safety and security and benefit the entire school community; and

WHEREAS, Hunterdon Central and the Township of Raritan have agreed it would be beneficial to have the Township of Raritan Police Department provide a full-time school resource officer to Hunterdon Central; and

WHEREAS, the Township of Raritan has agreed to provide Hunterdon Central with a full-time school resource officer from the Township of Raritan Police Department; and

WHEREAS, the Township of Raritan and Hunterdon Central desire to set forth in the attached Interlocal School Resource Officer Agreement the specific terms and conditions of the services to be performed and provided by the school resource officer at Hunterdon Central and the payment for the same; and

WHEREAS, the Township Committee has reviewed the attached Interlocal School Resource Officer Agreement and finds the terms and conditions of the Agreement to be acceptable and in furtherance of the general public health, welfare and safety of the Township of Raritan community and those attending Hunterdon Central.

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 attached Interlocal School Resource Officer Agreement is hereby ratified and approved and the Mayor, Township Administrator and Chief of Police are hereby authorized to execute the Agreement on behalf of the Township.
2. The Township Clerk is hereby directed to file a copy of the attached Interlocal School Resource Officer Agreement with the Division of Local Government Services.
3. A copy of the Interlocal School Resource Officer Agreement shall be made available in the Township Clerk’s office for public inspection.
4. The Interlocal School Resource Officer Agreement shall take effect upon adoption of Resolutions by the Township of Raritan and the Hunterdon Central Regional Board of Education and execution of the Agreement by the parties.

Mayor Gilbert read Resolution #17-96 by title.

Mayor Gilbert advised that the effective date be amended to “April 10.”

Mayor Gilbert asked for a motion to adopt Resolution #17-96 as amended to reflect the date change to April 10, 2017.

Motion by Mangin, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, O’Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-96

WHEREAS, there exists a vacancy in the position of Property Maintenance Inspector within the Township of Raritan; and

WHEREAS, William S. Sidote has been recommended by the Township Administrator Donald Hutchins to fill this position.

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

1. The Township Committee hereby approves of the appointment of William S. Sidote as Property Maintenance Inspector, on a part-time basis, effective on April 10, 2017.
2. On average, hours not to exceed 25 per week per calendar year.
3. Compensation to be at a rate of \$20.00 per hour.

Mayor Gilbert read Resolution #17-97 by title.

Mr. Lehrer explained that the proposed resolution authorizes Cross River Fiber to use point-to-point connections for fiber lines on utility poles to businesses. Mr. Lehrer continued that Cross River Fiber has sought municipal consent for fifty (50) years and that the Township has negotiated a ten (10) year agreement with three (3) year options. He further explained that the law requires that such consent be granted, however, the Township is entitled to reimbursement of any legal fees incurred.

Mayor Gilbert asked for a motion to adopt Resolution #17-97.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-97

WHEREAS, Cross River Fiber, Inc., located at 461 Headquarters Plaza, Morristown, New Jersey, is authorized to provide local exchange and interexchange telecommunications services throughout the State of New Jersey pursuant to an Order issued by the New Jersey Board of Public Utilities ("NJBP") in Docket No. TE12040297 dated June 18, 2012; and

WHEREAS, Cross River Fiber, Inc. has requested the consent of the Township of Raritan's ("Township") permission to occupy public rights-of-way within the Township for an initial term of ten (10) years with three (3) successive five (5) year terms for the purpose of constructing, installing, operating, repairing, maintaining and replacing a telecommunications system; and

WHEREAS, the granting of such consent is and shall be conditioned upon Cross River Fiber, Inc.'s continued compliance with all existing and future ordinances of the Township and its entering into the attached Agreement, which provides to inter alia, indemnify and hold the Township harmless as to all claims and liabilities resulting from any injury or damage which may arise from the construction, installation, operation, repair, maintenance, disconnect, replacement and removal of its telecommunications system within certain public rights-of-way and provide liability insurance coverage for personal injury and property damage.

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

1. That non-exclusive consent is hereby granted to Cross River Fiber, Inc. to occupy the public rights-of-way within the Township for the purpose of construction, installation, operation, repair, maintenance and replacement of a telecommunications system for an initial term of ten (10) years.
2. The within granted permission is conditioned upon Cross River Fiber, Inc. entering into the attached Agreement with the Township, and providing liability and property damage insurance.
3. The Mayor and Township Clerk are hereby authorized to execute the attached Agreement.
4. A copy of this Resolution and the executed Agreement shall be filed in the Office of the Township Clerk.

PRIVILEGE OF THE FLOOR

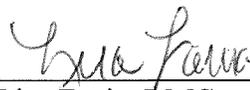
The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenway Drive
Gene Lewandowski, a resident of 3 Phipps Court

Mayor Gilbert asked for a motion to adjourn.
Motion by Reiner, seconded by O'Brien
MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:12 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk