RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, APRIL 17, 2018
(amended May 1, 2018 corrected language for Limitation on retractive tax relief...)

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

ROLL CALL: The following were present: Mayor, Michael Mangin; Deputy Mayor, Karen Gilbert; Comm. Gary Hazard; Comm. Craig O'Brien; and Comm. Louis Reiner (arrived at 6:49 p.m.)

ALSO PRESENT: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Police Captain, Kevin Donovan; Attorney, Ed Purcell (for Township Attorney, Jeff Lehrer)

MEETING ADVERTISED: Mayor Mangin advised that the meeting was advertised in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975 in the January 10, 2018 issue of the Courier News and was posted on the municipal bulletin board and the Township website.

Township Attorney Lehrer read Resolution #18-84 in full.

Mayor Mangin asked for a motion to approve Closed Session Resolution.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	Reiner

RESOLUTION #18-84

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:

b)	Personnel:	Administrator Evaluation
c)	Attorney-Client Privilege:	Verizon Wireless Application to use Municipal Right-of-Way
d)	Pending Litigation:	

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.

3. The Committee will return to Regular Session and may take further action.
4. This Resolution shall take effect immediately.

CLOSED SESSION MINUTES WILL BE DONE IN A SEPARATE DOCUMENT

The regular meeting reconvened at 7:00 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Mayor Mangin 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 Mangin asked for any amendments to the Agenda.

Mayor Mangin asked that the Committee deviate from the scheduled agenda and advance the presentation by the Recreation Ad Hoc Committee prior to Public Comment, as interested parties were in attendance.

Mayor Mangin asked for a motion to approve the Agenda as amended.
Motion by Gilbert; seconded by Reiner
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	None

PRESENTATION – RECREATION AD HOC COMMITTEE

Ira Rosenheim and Ryan Edge, Co-Chairs of the Ad Hoc Recreation Committee appeared before the Committee and presented a slide presentation on the proposed Clover Hill Sports Complex that included the following:

*Who are we
- Leaders of local youth sports organizations working together in support of athletes
  - Greater Flemington Soccer Club
  - Devils Lacrosse Club
  - Flemington-Raritan Baseball
  - Flemington-Raritan Girls Softball
  - Hunterdon Outreach Programs (HOPS)
  - Flemington Falcons Football & Cheer
  - Flemington Raritan Youth Basketball
- Largely Flemington-Raritan based
- Serve over 3,000 athletes, ages 3-65 from 22 of 26 Hunterdon County municipalities and several municipalities in surrounding communities

*Process
- Ad hoc committee began meeting in early 2017, commissioned by the Raritan Township Committee to study the need for active recreation facilities in the community and look at ways to serve youth athletes in the Township (athletic fields)
- Each organization developed a "wish list" of type and number of amenities necessary to support their usage
- Consolidated lists shared with Hunterdon County Planner
- Looked at Township-owned and County properties that could support this type of complex
- Settled on County property on Clover Hill Road adjacent to Township-owned Clover Hill Park soccer fields
- 115 acres
- Synergies from locating next to existing athletic fields
- County-owned

*Core Principles
- Inclusive process
- Any solution should result in a net increase in number of fields for all organizations
- Multi-use/multi-purpose athletic fields to maximize usage
- Artificial turf to mitigate against weather-related cancellations
- Lights to provide increased flexibility in scheduling practices and games
- Other amenities to ensure and invite community use

*Concept
- Multi-sport athletic fields – soccer, lacrosse, baseball, softball, HOPS, football
- Basketball courts
- Tennis courts

Restrooms
Concession stands
Walking trails
Playgrounds
Parking

*Next Steps
Obtain endorsement from Raritan Township Committee
Submit to Hunterdon County Open Space Advisory Board

Mayor Mangin thanked Mr. Rosenheim and Mr. Edge for their efforts and reiterated that the idea is conceptual and that the presentation was for informational purposes only. Mayor Mangin added that the ultimate decision lies with the County. At this time, Mayor Mangin requested that the Committee deviate from the meeting agenda and advance Public Comment, as interested parties were in attendance.

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:

Francis Frederico, a resident of 6 Cider Mill Circle, spoke in opposition to the proposed plan commenting on the lights, noise, cost, and traffic impact.

Donna Reynolds, a resident of 6 Cider Mill Circle, also spoke in opposition to the proposed Clover Hill sports complex.

Yolanda Cillo, a resident of 9 Olden Drive, spoke in opposition to the proposed plan expressing concern for the wildlife; inquired about the field usage at Lenape Park; asked who will pay for the maintenance of the turf field and lighting; and requested an environmental study.

Karen Becker, a resident of 14 Whitehouse Way and representative of the Sierra Club, reiterated support for comments made by the previous speaker; expressed concern regarding the permeability of water; and inquired as to the funding and maintenance of the septic/sewer system.

Michael Kuhns, a resident of 36 Honeyman Drive and board member of Flemington-Raritan Baseball, expressed support in favor of the proposed complex and the need for such a facility in Hunterdon County.

John Wappel, a resident of 7 Green Hills Drive, commented that additional research is needed before any recommendations can be made by the Committee; and suggested that the County return taxes to the towns for road repair.

Carl Caruso, a resident of 2 Running Brook Circle, asked if consideration was given to properties within the County or only to Raritan Township; commented on the County's original consideration of the proposed parcel for the location of the Flemington Fair; expressed concern regarding the impact of traffic from tournaments; and proposed consideration of more smaller locations.

At this time, reporter, Curtis Leeds, called for point of order regarding the identification of speakers. Mr. Leeds inquired as to the subject matter that Attorney Purcell and Mayor Mangin were discussing during the presentation. Mr. Leeds commented that anyone speaking must first identify their name and address prior to comment. Mr. Purcell responded that his discussions with the Mayor are privileged.

Mr. Leeds asked for clarification as to why some discussions are private and other speakers must identify themselves.

Mayor Mangin responded that he had asked Mr. Purcell to speak with the Administrator to see if the discussion could be put on the next meeting agenda.

Eileen Navickas, a resident of 23 Fieldstone Place, asked about entrance locations off of Clover Hill Road; commented that surveyors hired by the Township were recently on her property; and inquired as to boundaries to prevent trespassing and littering on bordering properties in regard to the proposed trails.

Kathy Chaconas, a resident of 1 Waldron Lane, expressed concern for the disruption of the deer population.

A Dayton Road resident, commented on the decline in student enrollment in the County; the need for a healthy environment for children consisting of open spaces, fields, and trees; use of school facilities and other parks for community games; and the health and environmental impacts of artificial turf.

Stephen Fecho, a resident of 8 Rea Court, spoke in support of the proposed plan and commented that most progressive towns throughout New Jersey and across the country established such facilities ten years ago.

Erin O'Leary, a resident of 14 Clover Hill Road, expressed concern regarding the location of the entrance; location of the fields with respect to the high-tension wires; lighting; and water drainage. Ms. O'Leary voiced opinion regarding the need for additional research.

Margaret Flood, a resident of 10 Wagner Court, voiced support for the need of such a facility in the community.

Todd Cook, a resident of Pennsylvania Avenue, also voiced support in favor of the plan and the need in the community.

Dave Irwin, a resident of 16 Cardinal Drive, Readington Township and representative of Hunterdon Outreach Programs (HOPS) explained that HOPS is a non-profit organization which provides weekly sporting events for special needs children. He continued to speak about the rise in autism; the benefit of such a facility to all special needs individuals and the need in this community.

Hailey Eder, a resident of 1405 Cobblestone Court and participant on the Flemington Flames softball, expressed the need for such a facility and spoke about the inconvenience of cancelled practices and games due to poor field conditions caused by inclement weather.

Judy Eder, a resident of 1405 Cobblestone Court, spoke in support of the concept.

Brad Currie, a resident of 22 Running Brook Circle, commented on the need for better sports facilities accessible by all ages in Raritan Township and expressed support for the location.

Melanie Vayda, a resident of 20 Vorhees Corner Road, expressed concern regarding the location and potential flooding; as well as the impact to the deer population.

Valerie Robitzki, a resident of 23 Olden Drive, inquired as to what will be done with the poor condition of existing fields; and commented on the disruption of the pristine woods, streams and meadows; and urged consideration of other properties.

During Public Comment, Deputy Mayor Gilbert advised that no surveyors were hired by the Township and reiterated that the presentation is purely a conceptual idea of what could possibly be built at that location. Mr. Rosenheim advised that only properties within Raritan Township were considered. Mr. Edge commented that the plan did account for the location of the high-tension wires and that such can be altered.

Committee Member Hazard thanked all attendees for their participation and expressed appreciation for all input. Committee Member Hazard spoke of his experience with the development of the soccer fields by the Greater Flemington Soccer Club.

FINANCIAL ISSUES

Payment of Bills as listed for **Raritan Township: $2,371,740.24**

Mayor Mangin asked for a motion to approve the bill list for Raritan Township.
Motion by Reiner, seconded by Hazard
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	None

Non-union salary increases, stipends and leases for police vehicles – Administrator Hutchins explained that there are five (5) non-union employees that have not received their salary increases this year, whereas all others have. Mr. Hutchins continued that the salary increases, stipends, and lease funding is included in the introduced budget and that he is seeking authorization to proceed prior to the formal adoption of the budget.

Committee Member Reiner spoke in favor of such action.

At this time, Committee Member O'Brien voiced opposition to spending money without amending the temporary budget or formal action. Committee Member O'Brien requested dollar amounts.

Mr. Purcell advised that the Committee could authorize Mr. Hutchins to proceed by voice vote and memorialize such action by resolution at the next Committee meeting.

Mayor Mangin asked for a motion to authorize Mr. Hutchins to proceed with non-union salary increases, stipends, and police vehicle leases.
Motion by Reiner, seconded by Hazard
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, Reiner, Mangin
NOES:	O'Brien
ABSTAIN:	None
ABSENT:	None

During the vote, Committee Member O'Brien commented, "I'm not okay spending money without knowing what the price tag is, put a resolution in front of me with the dollar amount and I will be fine to vote on it."

REPORTS

The following staff reports were acknowledged by the Township Committee:

*Planning/Engineering Escrow Accounts – March 2018
*Raritan Township Fire Company – 2017 LOSAP (Length of Service Award Program) Report
*Public Works - Snow Removal – April 2, 2018
*Animal Control - March 2018
*Tax Collector – March 2018

LIAISON REPORTS

Karen Gilbert: <u>Finance; Historians; Open Space; Parks and Recreation; Planning Board (Class III Member)</u>
Deputy Mayor Gilbert reported that the Local Historians Committee presented "The Elder Stateswomen of Raritan Township," April 14, and that the event

was a success. Deputy Mayor Gilbert also reported on meetings of the Parks and Recreation and Open Space Advisory Committees and announced that the Planning Board meeting was cancelled. Deputy Mayor Gilbert advised that a senior Green Team is assisting with the maintenance of Morales Park.

Gary Hazard: Court/Police; RTMUA
Committee Member Hazard announced that the April 19 RTMUA meeting was cancelled and rescheduled for April 23.

Craig O'Brien: Open Space
No report.

Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Public Works; Wildlife Management Advisory Committee
Committee Member Reiner commended and thanked OEM, Fire, Rescue and Police for their outstanding efforts during the past storms.

Michael Mangin: Board of Health; Finance; Personnel; Planning Board (Class I Member)
Mayor Mangin announced the upcoming meeting of the Board of Health (April 19) and reiterated that the Planning Board meeting was cancelled.

At this time, Mr. Hutchins announced the upcoming date for the volunteer tree planting at Walnut Brook Preserve, April 27 and 28 and advised that information is posted on the Township website.

UNFINISHED BUSINESS

a. Limitation on retroactive tax relief due to 100% disabled veteran status – Mayor Mangin advised that the Township has received additional inquiries regarding tax relief for one-hundred percent (100%) disabled veterans and recommended discussion for tonight's scheduled agenda.

Mayor Mangin suggested a three (3) year retroactive relief period for municipal taxes.

Committee Members inquired as to relief provided by the schools and the county; and the number of requests the Township had received.

Attorney, Ed Purcell, advised on the tax collection process explaining that the municipality collects taxes for the schools, the county and the municipality. He continued that veterans granted one hundred percent (100%) disabled status are exempt from all of those taxes going forward. Mr. Purcell further explained that as far as refunds are concerned, based on ordinances researched, the municipality can refund the municipal portion of those taxes collected. He added that he had no knowledge regarding refunds by the schools and county and that the Statute is written permissively for municipal refunds and that a number of municipalities refund the municipal portion only. He further commented that it is up to the desire of the municipality what tax relief it provides.

Mr. Hutchins responded that there had been two (2) additional inquiries since the last authorization of retroactive relief.

Mayor Mangin solicited comment from Committee Members.

Committee Member O'Brien cited action of those in the Doolittle Raid on the USS Hornet; explained blood chits in flight jackets for identification of American airman and the timing involved in the process for determining one hundred percent (100%) disabled veteran status. Committee Member O'Brien requested that an applicant's citations be read aloud prior to the vote by the Committee when considering retroactive tax relief.

Deputy Mayor Gilbert reiterated that it was the consensus of the Committee at the last meeting to task the Township Attorney to research how other municipalities are addressing such the issue.

Mayor Mangin commented, "it could be five or ten years...somebody could be looking for $100,000 which could damage the Township's whole budget scheme. We have a fiduciary responsibility to all of the taxpayers....."

Committee Member O'Brien commented, "most people come and apply first. We should look at the date when they filed with the Veterans Association, that should be the start date.... We are talking about combat veterans. We should do this on a case by case basis. These men and women are heroes." Committee Member O'Brien commented that congressional medal of honor citations should be acknowledged. Committee Member O'Brien added that if the Committee passes an ordinance, it is considering judging.

Deputy Mayor Gilbert commented, "what we are looking at right now is whether we want to continue on a case by case basis or implement an ordinance placing limitations on retroactive relief rather than making a judgment on who is deserving of, the timing of, and the amount of retroactive relief." Deputy Mayor Gilbert continued that the Committee needs to be mindful of the fact that it represents all residents of the Township and the impact of such relief on taxes to all of the community.

Committee Member Reiner spoke in favor of refunding the municipal portion.

Committee Member Hazard commented, "the last time I voted it was clearly case by case, my big concern is who am I to judge...."

Mr. Purcell commented, "when there is a disabled veteran and they have a letter, they apply to the municipality for a one-hundred percent (100%) tax exemption going forward. The issue here is about retractive relief and from a budgeting perspective can the municipality afford to have these very large numbers. For continuity and budgeting there is a need to set limitations, is what I am hearing." Mr. Purcell advised that in general municipalities are authorizing no more than twenty-four (24) months retroactive tax relief, however, it is entirely optional and the Township does not have to offer a refund by law.

It was the consensus to carry discussion to a future scheduled meeting.

b. Hampton Corner Road – NJDEP meeting update – Mayor Mangin advised that the meeting with the NJDEP was held April 11, 2018.

Deputy Mayor Gilbert reported that County Engineer, Tom Mathews and Township Consultant, Joseph Skupian were in attendance as well as Mr. Hutchins, Mr. Hajjar, and Committee Member O'Brien. Deputy Mayor Gilbert advised that the State made some recommendations, that there was no wildlife fragmentation, and that the project is moving forward.

Committee Member O'Brien commented on some issues that may be of interest to the NJDEP including how much fill, how much offset on the road itself based on the bridge design, the overall height of the bridge or road around it, and the amount of the rise in the area behind the bridge.

Discussion was held regarding timeline and the next steps moving forward.

Mr. Hajjar advised that funding has been authorized to proceed and the Township expects to receive contractor proposals by the beginning of May.

Mayor Mangin solicited public comment.

There was no public comment.

NEW BUSINESS

a. Mayor Appointment to the Environmental Commission (Grace Mitchko) for an unexpired term to December 31, 2018 – Mayor Mangin advised that appointments to the Environmental Commission are authorized under the authority of the Mayor and no vote is required. Mayor Mangin announced the appointment of Grace Mitchko to the Environmental Commission as Alternate #2 Member for an unexpired term to December 31, 2018.

b. Barbiche Family request to hold a 30th birthday party, Saturday, May 5, 2018 – Mayor Mangin recused himself due to a conflict of interest. Deputy Mayor Gilbert asked for any objections to the Barbiche Family request to hold a 30th birthday party and extend the noise curfew to 11:00 p.m. It was the consensus of the Committee to approve the request.

At this time, Mayor Mangin asked that the Committee deviate from the scheduled agenda and take action on Resolution Item 16a Granting Consent to Elizabethtown Gas to Transfer Rights to ETG Acquisition Corp., as interested parties were in attendance.

Mayor Mangin invited Richard Valenti, Esq., Morris, Downing, Sherred, LLP and Mark Kelly, a representative from Elizabethtown Gas to the dais. Mr. Valenti explained that ETG Acquisition Corp. is seeking to purchase the assets of Elizabethtown Gas and that the pipes, facilities, call center, service centers and headquarters will remain in place as part of the purchase. Mr. Valenti

continued that as part of the process a resolution from the Township authorizing consent is required.

Mayor Mangin read by title Resolution #18-85.
Mayor Mangin asked for a motion to adopt Resolution #18-85.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Reiner
NOES:	None
ABSTAIN:	Mayor Mangin
ABSENT:	None

RESOLUTION #18-85

A RESOLUTION GRANTING CONSENT TO ELIZABETHTOWN GAS TO TRANSFER AND ASSIGN ITS RIGHTS AND OBLIGATIONS UNDER THE RARITAN TOWNSHIP MUNICIPAL CONSENT ORDINANCE TO ETG ACQUISITION CORP.

WHEREAS, Pivotal Utility Holdings Corporation, Inc. d/b/a Elizabethtown Gas ("Elizabethtown") currently supplies natural gas and related services to customers within the Township of Raritan pursuant to a Municipal Consent Ordinance (the "Ordinance") attached hereto as Exhibit A; and

WHEREAS, Elizabethtown has provided written notice of Elizabethtown's intent to transfer substantially all of Elizabethtown's assets, including its rights and obligations under the Ordinance, to ETG Acquisition Corp. and has requested that the Township of Raritan ("Raritan") consent to the assignment and transfer to ETG Acquisition Corp. of substantially all of Elizabethtown's rights and obligations under the Ordinance; and

WHEREAS, Elizabethtown and ETG Acquisition Corp. have provided to Raritan the written acknowledgement and agreement by ETG Acquisition Corp. that it will be bound by all terms and conditions of the Ordinance, will post the performance bond, and will satisfy the liability insurance requirements contained in the Ordinance if the assignment and transfer occurs; and

WHEREAS, ETG Acquisition Corp. has provided to Raritan information to establish that the proposed acquisition of Elizabethtown's assets by ETG Acquisition Corp. can be accomplished such that ETG Acquisition Corp. will be able to honor the obligations of Elizabethtown under the Ordinance upon completion of Elizabethtown's asset transfer to ETG Acquisition Corp., that ETG Acquisition Corp. will be bound by all terms and conditions of the Ordinance, and that the customers within Raritan will continue to receive natural gas services in the same safe and reliable manner and pursuant to the same NJBPU approved rates and terms and conditions upon which they now receive such service at said rates.

NOW, THEREFORE BE IT RESOLVED, that Elizabethtown has complied with the transfer/assignment requirements in the Ordinance for the transfer and assignment of Elizabethtown's rights and obligations thereunder to ETG Acquisition Corp. and that the Township of Raritan herby permits and consents to the transfer and assignment to ETG Acquisition Corp. of all of Elizabethtown's rights and obligations under the Ordinance. This consent will only be effective upon completion of the acquisition of substantially all of Elizabethtown's assets by ETG

Acquisition Corp. and compliance with the performance bond replacement and liability insurance requirements contained in the Ordinance. If that acquisition does not occur, this consent shall not be deemed to give consent to Elizabethtown's transfer or assignment of any of its rights and obligations under this ordinance to any other entity.

ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)

Mayor Mangin read by title Ordinance #18-13.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A CONSERVATION EASEMENT, A SIGHT TRIANGLE EASEMENT, A DETENTION BASIN AND DRAINAGE EASEMENT, A WATER TANK EASEMENT AND A RIGHT-OF-WAY EASEMENT THROUGH A PORTION OF BLOCK 40.04, LOT 37 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN (SANATANA DHARMA FOUNDATION – 14 BARLEY SHEAF ROAD)

Mayor Mangin asked for a motion to open public hearing.
Motion by Gilbert, seconded by Hazard
MOTION UNANIMOUSLY CARRIED
No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-13 on final consideration, same to be published according to law.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	None

ORDINANCE ADOPTED

Ordinance advertised April 6, 2018 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #18-13

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A CONSERVATION EASEMENT, A SIGHT TRIANGLE EASEMENT, A DETENTION BASIN AND DRAINAGE EASEMENT, A WATER TANK EASEMENT AND A RIGHT-OF-WAY EASEMENT THROUGH A PORTION OF BLOCK 40.04, LOT 37 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

WHEREAS, Sanatana Dharma Foundation, Inc., received preliminary and final site plan approval (the "Approval") from the Raritan Township Planning Board for property identified as

Block 40.04, Lot 37 (the "Property") as shown on the Tax Map of the Township of Raritan; and

WHEREAS, the Approval was granted on April 12, 2017 and memorialized by Resolution 11-2017 dated June 28, 2017 (the "Resolution of Approval"); and

WHEREAS, in connection, with the Approval as set forth in the Resolution of Approval, Sanatana Dharma Foundation, Inc. is required to grant to the Township of Raritan the following easements across a portion of the Property:

1. Conservation Easement
2. Sight Triangle Easement
3. Detention Basin and Drainage Easement
4. Right-of-Way Easement
5. Water Tank Easement (collectively, the "Easements"); and

WHEREAS, the Township Attorney for the Township of Raritan has reviewed the Easements, copies of which are attached hereto, and finds them to be acceptable.

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

1. The Easements from Sanatana Dharma Foundation, Inc., to the Township of Raritan are hereby accepted.
2. 2. The Mayor and Township Clerk are hereby authorized to execute the Easements.

Mayor Mangin read by title Ordinance #18-14.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DRAINAGE AND CONSERVATION EASEMENT THROUGH A PORTION OF BLOCK 36.02, LOT 19 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN (FLEMINGTON-RARITAN FIRST AID & RESCUE SQUAD - 29 ROYAL ROAD)

Mayor Mangin asked for a motion to open public hearing.
Motion by Gilbert, seconded by Hazard
MOTION UNANIMOUSLY CARRIED
No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-14 on final consideration, same to be published according to law.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	None

ORDINANCE ADOPTED

Ordinance advertised April 6, 2018 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #18-14

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DRAINAGE AND CONSERVATION EASEMENT THROUGH A PORTION OF BLOCK 36.02, LOT 19 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

WHEREAS, Flemington-Raritan First Aid & Rescue Squad received preliminary and final site plan approval and variance relief (the "Approval") from the Raritan Township Planning Board for property identified as Block 36.02, Lot 19 (the "Property") as shown on the Tax Map of the Township of Raritan; and

WHEREAS, the Approval was granted on April 12, 2017 and memorialized by Resolution 9-2017 dated June 28, 2017 (the "Resolution of Approval"); and

WHEREAS, in connection with the Approval as set forth in the Resolution of Approval, Flemington-Raritan First Aid & Rescue Squad is required to grant to the Township of Raritan a Drainage and Conservation Easement across a portion of the Property; and

WHEREAS, the Township Attorney for the Township of Raritan has reviewed the Drainage and Conservation Easement, a copy of which is attached hereto, and finds it to be acceptable.

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

1. The Drainage and Conservation Easement from Flemington-Raritan First Aid & Rescue Squad to the Township of Raritan is hereby accepted.
2. The Mayor and Township Clerk are hereby authorized to execute the Drainage and Conservation Easement.

Mayor Mangin read by title Ordinance #18-15.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 2.68 ENTITLED "UTILITIES AUTHORITY" BY REVISING SECTION 2.68.030 ENTITLED "COMPOSITION AND COMPENSATION"

Mayor Mangin asked for a motion to open public hearing.
Motion by Reiner, seconded by Hazard
MOTION UNANIMOUSLY CARRIED
No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-15 on final consideration, same to be published according to law.
Motion by Gilbert, seconded by Reiner
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, Reiner, Mayor Mangin
NOES:	O'Brien
ABSTAIN:	None
ABSENT:	None

ORDINANCE ADOPTED

Ordinance advertised April 9, 2018 The Courier News. Posted on municipal bulletin board as required by law.

During the vote, Committee Member O'Brien commented, "thought about this one a lot. The RTMUA is supposed to be independent and I don't like this. It allows two (2) situations that are very uncomfortable. One is all of the Committee people could be on the RTMUA and the other is you could be the Mayor and the head of the RTMUA at the same time. That is a dangerous allocation of powers. Sewer authorities, these kinds of authorities are meant to be independent. Our means is to appoint new people. I would hope we could find somebody outside to do that. I vote No."

Committee Member Reiner commented, "the RTMUA has failed in its fiduciary responsibilities to the public in running the authority officially and effectively. Their rates have increase over one hundred percent (100%) in the last 10 years, and debt is $18 million over the overall Township debt. I vote Yes."

Mayor Mangin commented, "I don't think we can put more than two people on the board and the intention was to put only one. I vote Yes."

ORDINANCE#18-15

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 2.68 ENTITLED "UTILITIES AUTHORITY" BY REVISING SECTION 2.68.030 ENTITLED "COMPOSITION AND COMPENSATION"

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

Section 1. Section 2.68.030 entitled "Composition and Compensation" of Chapter 2.68 entitled "Utilities Authority" of the General Ordinances of the Township of Raritan, as amended and supplemented, is hereby further amended as follows:

The municipal utilities authority shall consist of five members, who shall be appointed by resolution of the Township Committee in the manner provided by law. [An] [i]Individuals serving as [a] Township Committee members may [not] be allowed to serve as [a] members of the Municipal Utilities Authority.

Each member of the Municipal Utilities Authority shall receive compensation for their services up to the maximum amount of one thousand four hundred dollars ($1,400.00) for a full year of service on such Authority. The Municipal Utilities Authority, by resolution adopted by a majority of the fully authorized membership, shall set the amount of compensation to be paid to each regular member of the authority and to the chairperson, but in such amount not greater than as authorized hereunder.

Section 2. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.
Section 3. The Ordinance shall take effect upon its adoption, passage and publication according to law.

Note to Codifier: language in brackets [ ] is to be deleted from the original text. Underlined language is new language to the original text.

CORRESPONDENCE

Letter of Commendation – Public Works

NON-CONSENT AGENDA

Township Committee Regular Meeting Minutes

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of December 5 and December 19, 2017.
Motion by Gilbert, seconded by Reiner
ROLL CALL VOTE:

AYES:	Gilbert, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	Hazard
ABSENT:	None

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of April 3, 2018.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	O'Brien
ABSENT:	None

Township Committee Executive Meeting Minutes

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of December 5 and December 19, 2017.
Motion by Gilbert, seconded by Reiner
ROLL CALL VOTE:

AYES:	Gilbert, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	Hazard
ABSENT:	None

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of April 3, 2018.
Motion by Gilbert, seconded by Reiner
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	O'Brien
ABSENT:	None

Township Committee Regular Meeting Minutes of March 20, 2018 Amended

Clerk Fania advised that Committee Member Hazard was represented as absent and voting for the Closed Session Resolution, Amend/Approve Agenda, and restart of the newsletter.
Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of March 20, 2018 as amended.
Motion by Hazard, seconded by Reiner
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	None

NON-CONSENT AGENDA

Mayor Mangin read by title Resolution #18-86.
Mayor Mangin asked for a motion to adopt Resolution #18-86.
Motion by Reiner, seconded by Hazard
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	None

RESOLUTION #18-86

RATIFYING AND CONFIRMING THE APPOINTMENT OF JOHN TULLY AS RTMUA COMMISSIONER EFFECTIVE APRIL 3, 2018

WHEREAS, a vacancy as Commissioner on the Raritan Township Municipal Utilities Authority (the "RTMUA") exists as of February 7, 2018; and

WHEREAS, the Raritan Township Committee desires to fill this vacancy within the RTMUA; and

WHEREAS, at its regular meeting of April 3, 2018, the Township Committee, by voice vote, appointed John Tully as Commissioner of the RTMUA for a term of five (5) years beginning April 3, 2018 and ending April 2, 2023.

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 Committee's April 3, 2018 voice vote regarding the appointment of John Tully is hereby ratified and confirmed as follows:

John Tully
Appointed as Commissioner of the RTMUA
Effective April 3, 2018
For a term of Five (5) years

Mayor Mangin read by title Resolution #18-87.
Mayor Mangin asked for a motion to adopt Resolution #18-87.
Motion by Reiner, seconded by Gilbert
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	None

RESOLUTION #18-87

APPOINTMENT OF DAVID MOUTNER AS RESIDENT MEMBER OF THE AGRICULTURE ADVISORY BOARD

WHEREAS, a vacancy exists for a Resident Member on the Agriculture Advisory Board; and

WHEREAS, the Raritan Township Committee desires to fill this vacancy within the Agriculture Advisory Board; and

WHEREAS, David Moutner has expressed interest in being appointed as a Resident Member of the Agriculture Advisory Board.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that David Moutner is hereby appointed as a Resident Member of the Agriculture Advisory Board effective April 17, 2018 to fill the remainder of a one (1) year term expiring December 31, 2018.

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.

Mayor Mangin asked for a motion to adopt the Consent Agenda.
Motion by Reiner, seconded by Gilbert
ROLL CALL VOTE:

AYES:	Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES:	None
ABSTAIN:	None
ABSENT:	None

RESOLUTION #18-88

A RESOLUTION AUTHORIZING A CHANGE IN CUSTODIAN OF THE PETTY CASH FUND FOR THE CONSTRUCTION DEPARTMENT

WHEREAS, Hans Warnebold was custodian of the Construction Department's Petty Cash Fund; and

WHEREAS, in accordance with N.J.S.A. 40:5-21, the Township of Raritan, County of Hunterdon, State of New Jersey is changing custodian to Jeff Klein; and

WHEREAS, Jeff Klein is bonded in the amount of $25,000.00 by virtue of a surety bond.

NOW, THEREFORE BE IT RESOLVED, that the Township of Raritan, County of Hunterdon, State of New Jersey, hereby authorizes such action and two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Glen Gould, a resident of 37 Hampton Corner Road, acknowledged Committee Member O'Brien for his military service; spoke of his family's military experiences; and inquired about design details of the project; asked for clarification of an impact study; and spoke about the impact of the project to indicator animals/insects

Peter McHale, a resident of 31 Hampton Corner Road, thanked Committee Member O'Brien for his military service and inquired about a way to donate to one-hundred percent disabled veterans' taxes.

Barbara Sachau, a resident of 2 Glenway Drive, commented on the inability to hear the attorney speaking during the meeting; inquired as to the selection process regarding the appointment of Mr. Moutner to the Agriculture Advisory Board and the status of the Cable Franchise Agreement renewal; and commented on the posting of hunting club agreements and the inability to read signatures on such agreements.

Rich Pepe, a resident of 6 Cross Creek Drive, commented on veteran services and suggested tax refunds as an annuity or a maximum annual amount; and stated lighting of the proposed sports complex was not an issue for him.

David Moutner, a resident of 25 Colts Lane, thanked Committee Members for his appointment to the Agriculture Advisory Board.

During Public Comment, Mayor Mangin advised that the Township will investigate the possibility of donations by residents for assistance with tax payments to one hundred percent (100%) disabled veterans. Mr. Purcell advised that negotiations regarding the Cable Franchise renewal are in process. Deputy Mayor Gilbert advised that agreements routinely contain signatures and printed names.

ADJOURNMENT

Mayor Mangin asked for a motion to adjourn the meeting.
Motion by Reiner, seconded by Gilbert
MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:27 p.m.

Respectfully submitted,

Lisa Fania

Lisa Fania, RMC
Township Clerk