

**RARITAN TOWNSHIP COMMITTEE MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, APRIL 18, 2017**

MEETING CALLED: Mayor Gilbert called the regular meeting to order at 6:30 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 #17-101 in full.

Acting Municipal Clerk, Bill Bray, advised of one additional item to the Closed Session Resolution, municipal court judge. Mayor Gilbert requested the addition of the matter regarding the disclosure of closed session information to the press concerning the Zoning Officer.

Motion by Mangin, seconded by Chen to adopt Resolution #17-101 as amended.

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-101

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: Retiree Healthcare
 - b) Personnel: DPW Superintendent, Municipal Clerk, Municipal Court Judge; Zoning Officer
 - 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 7:10 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.

AMEND/APPROVE THE AGENDA

Mayor Gilbert asked for a motion to approve the Agenda.

Motion by Reiner, seconded by Mangin

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.

There was no public comment.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: **\$1,922,426.26**

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

REPORTS

The following staff reports were acknowledged by the Township Committee:

- *Tax Collector
 - *Code Enforcement
 - *Tax Assessor – 2017 Appeals
 - *Animal Control
-

LIAISON REPORTS

- Karen Gilbert: Historians, Finance, Planning Board (Class I)
Mayor Gilbert announced the date for the upcoming Local Historians Committee's event, "The Elder Statesmen of Raritan Township."
- Michael Mangin: Planning Board (Class II, RTMUA)
Deputy Mayor Mangin announced that the RTMUA will be in attendance at the May 2 Township Committee meeting; reported on a meeting of the Planning Board providing an update on the status of the Hindu Temple (Barley Sheaf Road) and the Flemington-Raritan First Aid and Rescue Squad's new building (Royal Road), and advising on an application by Johanna Farms for a water tank modification.
- Louis Reiner: Environmental Commission, Green Team, Fire/Rescue/OEM
Committee Member Reiner reported on a meeting of the Fire Chief's Association advising of discussion regarding a County-wide fire organization. Committee Member Reiner commented that the Raritan Township Fire Company is opposed to such action.

Mayor Gilbert commented that the Township's firefighters are concerned about the impact of such on their volunteerism.
- Richard Chen: Finance, Open Space, Parks & Recreation
Committee Member Chen advised of a request by the East Amwell Senior Group for a donation to fund a bus trip. Committee Member Chen expressed support that the Chief Financial Officer earmark funds for such.

Motion by Reiner, seconded by Chen to earmark funds for the East Amwell Senior group bus trip.
MOTION UNANIMOUSLY CARRIED
- Craig O'Brien: Open Space
No report.
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UNFINISHED BUSINESS

a. RTMUA appointment (#17-90) – Mayor Gilbert advised that there were three (3) candidates considered. Mayor Gilbert recommended Lawrence Grand and spoke of his qualifications and background.

Mayor Gilbert nominated Larry Grand for appointment to the RTMUA, seconded by Reiner.

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

At this time, Mayor Gilbert asked that the Committee deviate from the scheduled agenda and consider action on the proposed resolution appointing a commissioner to the RTMUA.

Mayor Gilbert read the following resolution by title.

Mayor Gilbert advised that the effective date be corrected to read "April 18, 2017."

Mayor Gilbert asked for a motion to adopt Resolution #17-90 as amended to reflect the effective of April 18, 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 #17-90

WHEREAS, there exists a vacancy for the appointment of a Commissioner on the RTMUA (Raritan Township Municipal Utilities Authority); and

WHEREAS, the Township Committee of the Township of Raritan is desirous of filling the vacancy within the RTMUA; and

WHEREAS, the Township Committee of the Township recommended that be appointed as Commissioner of the RTMUA effective April 18, 2017 to fill an unexpired term to January 31, 2021.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Raritan that the following is hereby appointed.

Lawrence Grand

Appointed as Commissioner of the RTMUA

Effective April 18, 2017

To Fill an Unexpired Term to January 31, 2021

b. Capital Plan Update – Mr. Hutchins explained that Committee Member O'Brien inquired about the five (5) year plan for engineering. Mr. Hutchins advised, "I don't have any more other than that the engineering is not in with the Capital right now but it can be added...."

Committee Member O'Brien spoke on the importance of creating a plan and commented, "I think it is important for us to communicate to the public what we are planning to do on roads and capital improvements, not that its not going to change but here is our best guess on what the future looks like...." Committee Member O'Brien requested that the proposed 2018 Municipal Budget be posted on the website. It was the consensus to post the 2018 Municipal Budget on the website.

NEW BUSINESS

a. Request to perform night-time paving – Flemington Circle Shopping Center – Mr. Hutchins explained that the Flemington Circle Shopping Center had requested authorization to pave the parking lot during the night. It was the consensus to authorize night time paving at the Flemington Circle Shopping Center provided that surrounding residents be notified of such.

b. The Chipstone Foundation request for photo release – Mayor Gilbert advised of the request for use of a Township photo. Mr. Lehrer commented on copyright law and advised that approval should include hold harmless language for the Township from any challenge made regarding ownership of the photograph. It was the consensus to authorize the Township Attorney to draft a letter including hold harmless language and authorizing use of the photo.

ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)

Mayor Gilbert read by title Ordinance #17-07.

ORDINANCE #17-07

CALENDAR YEAR 2017

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Gilbert asked for a motion to open public hearing.

Motion by Mangin, seconded by Mayor Gilbert

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-07 on final consideration, same to be published according to law.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert

NOES: O'Brien

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

During the vote, Committee Member O'Brien commented on the increase of Township spending and setting limits and controls for such. Mayor Gilbert responded that such action had been taken in recent history and the proposed ordinance was approved by the Auditor. Chief Financial Officer, Bill Pandos, also confirmed Auditor approval.

CALENDAR YEAR 2017**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.A 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Raritan in the County of Hunterdon finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3% increase in the budget for said year, amounting to \$435,734 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Raritan in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Township of Raritan shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$508,356, and that the CY 2017 municipal budget for the Township of Raritan be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

CORRESPONDENCE

- a. Letter from Lisa Cordrey regarding block party request (North Ridge Rd.) – No objections.
- b. Email from Dori Ross regarding noise from commercial lawn services
- c. Letter from Summit Custom Spray Drying regarding 45 River Road, Building 201

NON-CONSENT

Mayor Gilbert reiterated that action regarding Resolution #17-90, appointing a commissioner to the RTMUA, was taken earlier in the meeting agenda.

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 Gilbert read the following resolutions by title.
Mayor Gilbert asked for a motion to adopt the Consent Agenda.
Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

- AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert
- NOES:** None
- ABSTAIN:** None
- ABSENT:** None

RESOLUTION #17-102

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; 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 following receive a refund in the amount specified.

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Qual</u>
Joan B. Cornick 2 nd Qtr. 2017 Taxes 2014 Homestead Rebate	\$737.19	6.03	1	
Mr. & Mrs. Bailey 2 nd Qtr. 2017 Taxes 2014 Homestead Rebate	\$566.24	18.10	14	

RESOLUTION #17-103

WHEREAS, various developers have requested a refund of their Developer’s Escrow; and
WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated April 11, 2017, and recommended the refund of these Developer’s Escrows.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following Developer’s Escrows are hereby refunded.

California Development, S-1414-M	\$511.09
Hunterdon Shopping Center, SP-626-W,	\$1,035.44
Hunterdon Storage II, SP-572-PF	\$2.38
Hunterdon Storage, BOA-7-2002,	\$500.00
Meadow Run, SP-438-PF,	\$594.98
Hunterdon Shopping Center, SP-373-PF & SP-433-PF,	\$1.61

RESOLUTION #17-104

WHEREAS, various developers have requested a refund of their Inspection’s Escrows; and
WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated April 11, 2017, and recommended the refund of these Inspection Escrows.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following Inspection Escrows are hereby refunded.

Hunterdon Storage, BOA-7-2002,	\$50.01
Meadow Run, SP-438-PF,	\$372.39

RESOLUTION #17-105

WHEREAS, Ampericon has requested a refund of a zoning permit fee; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated April 12, 2017, and recommended the refund of the Zoning Permit Fee in the amount of \$120.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Zoning Permit Fee in the amount of \$120.00 paid by Ampericon, is hereby refunded.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenway Drive

Mayor Gilbert asked for a motion to adjourn and reconvene closed session.

Motion by Reiner, seconded by Mangin.

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:12 p.m.

Closed session began at 8:19 p.m.

CLOSED SESSION MINUTES ARE COMPLETED IN A SEPARATE DOCUMENT

The regular meeting reconvened at 9:19 p.m.

FURTHER ACTION

At this time, Mr. Lehrer explained that a motion is required to appoint Brion Fleming as DPW Superintendent at a salary of \$102,000.00 for this year, effective immediately.

Motion by Mangin, seconded by Chen to appoint Brion Fleming as DPW Superintendent at a salary of \$102,000 for this year, effective immediately.

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

At this time, Mr. Lehrer explained that a motion is required to not renew the appointment of Bill Bray as Acting Township Clerk for the Township of Raritan with his services to be terminated immediately and payment be made for his services through May 31, 2017; and that Rose Sollena be appointed as Acting Clerk at a rate of \$42.00 per hour for a period not to exceed one year.

Motion by Reiner, seconded by Mayor Gilbert to not renew the appointment of Bill Bray as Acting Township Clerk for the Township of Raritan with his services to be terminated immediately but that payment be made through May 31, 2017 and that Rose Sollena be appointed as Acting Township Clerk at a rate of \$42.00 per hour for a period not to exceed one year.

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert

NOES: O'Brien

ABSTAIN: None

ABSENT: None

ADJOURNMENT

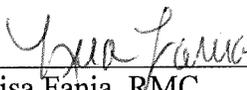
Mayor Gilbert asked for a motion to adjourn.

Motion by Chen, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 9:24 p.m.

Respectfully submitted,



Lisa Fania, RMC

Township Clerk