

**RARITAN TOWNSHIP COMMITTEE MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, JUNE 5, 2017**

MEETING CALLED: Mayor Gilbert called the regular meeting to order at 6:00 p.m.

ROLL CALL: The following were present: Comm. Richard Chen; Comm. Michael Mangin; Comm. Craig O'Brien; Comm. Louis 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.

Mayor Gilbert read Resolution #17-148 in full.

Mayor Gilbert asked for a motion to adopt the Closed Session Resolution.
Motion by Chen, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-148

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: Township Clerk Interviews at 6:00 p.m. and 6:30 p.m.; Payroll Benefit Coordinator; Fire Prevention Administrative Assistant; Municipal Judge Appointment; Deputy Fire Marshal
 - c) Pending Litigation: Hampton Corner Road Study
 - d) Attorney-Client Privilege: Doreen Frega v. Raritan Township Update
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 7:14 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 Chen

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

WALMART PRESENTATION OF DONATION – Karen Vance

Mayor Gilbert explained that Walmart had a grand re-opening, May 19, and made a \$1,000.00 donation to the Police Department. Karen Vance, a representative from Walmart, explained the rationale behind the award. Police Chief, Glenn Tabasko, advised that a 65-inch monitor had been purchased from Walmart for the police department's training room.

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

Payment of Bills as listed for Raritan Township: **\$12,201,929.13**

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:

*Engineering/Planning/Zoning

*Car Lease Memo for Construction Department

*DPW

*Municipal Court – April 2017

*Tax – May 2017

*Veterans Fee Exemption

LIAISON REPORTS

Karen Gilbert: Historians, Finance, Planning Board (Class I)
Mayor Gilbert advised that work has begun on the Oak Grove schoolhouse.

Michael Mangin: Planning Board (Class II, RTMUA)
Deputy Mayor Mangin reiterated Planning Board approval of the Hindu Temple (Barley Sheaf Road) and advised that the WAWA application is still under consideration.

Louis Reiner: Environmental Commission, Green Team, Fire/Rescue/OEM
Committee Member Reiner commended efforts of all first responders during the recent fire at Tirpok cleaners.

Richard Chen: Finance, Open Space, Parks & Recreation
Committee Member Chen reported on the status of Open Space/Wildlife Management goals including the establishment of a deer management plan, modification to the Township Ordinance to allow hunting by permit, and designation of Township open space property for nature preservation. Committee Member Chen further explained that the next step includes fencing twenty-five (25) plus acres of open space property and partnering with Dr. Jay

Kelly of the Raritan Valley Community College Foundation for the completion of a deer density survey. Committee Member Chen spoke about the possibility of other education and outreach projects with Hunterdon Central High School juniors, Rutgers University and the Great Swamp Water Association.

At this time, Mayor Gilbert clarified that Committee Member Chen is seeking commitment from the Committee to continue such efforts and that proposed Ordinance #17-15, authorizing the purchase and installation of fencing on designated open space for nature preservation is one of the goals.

Mayor Gilbert also announced that this Saturday is the date for the Senior Spring luncheon, sponsored by the Parks and Recreation Committee.

Craig O'Brien: Open Space
No report.

At this time, Committee Member O'Brien raised concern regarding the process for identifying veterans eligible for fee waivers and discounts; commented on community outreach for such benefits; and suggested that information be posted on the Township website. Committee Member O'Brien requested permission to proceed with a press release. All concurred for Committee Member O'Brien to proceed.

UNFINISHED BUSINESS

a. Maser Consulting Fee Request – Mayor Gilbert recapped that Maser Consulting had submitted a request seeking additional funding due to overruns and advised that the firm had delivered the completed farmland preservation report. Mayor Gilbert continued that Mr. Hutchins had negotiated an amicable amount.

Mr. Hutchins advised that the original proposal was for \$14,650.00 and that the firm had agreed to accept an additional \$1,960.00 bringing the total contract amount to \$13,690.00

Township Attorney, Jeff Lehrer, advised that a motion is needed to amend the original contract to include an additional \$1,960.00.

Discussion was held regarding approval of the additional \$1,960.00.

Committee Member Chen motioned to approve the modification to the contract with Maser Consulting in the amount of \$1,960.00.

Committee Member O'Brien requested further discussion and motion was withdrawn.

Discussion continued and it was the consensus to proceed with Mr. Hutchins' recommendation.

Mayor Gilbert asked for a motion to approve a modification to the contract with Maser Consulting in the amount of \$1,960.00

Motion by Chen, seconded by O'Brien

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

NEW BUSINESS

(Correct name is Padero Solaer was referenced as "Loaer" on agenda and in adopted resolution #17-137.)

a. Reduction of Performance Guarantee in the amount of \$380,370.00 Padero Solaer (aka SNNJ1, Fisher Solar Farm) – No discussion.

Mayor Gilbert read by title Ordinance #17-10.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$456,361.16 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$432,623.10 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Gilbert asked for a motion to introduce Ordinance #17-10 on first consideration.

Motion by Chen, seconded by Mangin

ROLL CALL VOTE:

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

NOES: Reiner

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for June 20, 2017.

Mayor Gilbert read by title Ordinance #17-11.

ORDINANCE REAPPROPRIATING \$45,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF POLICE RADIOS AND THE NEW DRY CHEMICAL FIRE SUPPRESSION SYSTEM FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Gilbert asked for a motion to open public hearing.

Motion by Chen, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-11 on final consideration, same to be published according to law.

Motion by Chen, seconded by Mangin

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Mangin

NOES: O'Brien

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

ORDINANCE #17-11

ORDINANCE REAPPROPRIATING \$45,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF POLICE RADIOS AND THE NEW DRY CHEMICAL FIRE SUPPRESSION SYSTEM FOR THE 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 \$45,000.00 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
#13-13	Reconstruction of Everitts Road, Section 2, Phase 3, finally adopted 10/1/2013	\$45,000.00

Section 2. \$45,000.00 described in Section 1 hereof and made available pursuant to N.J.S.A. 40A:2-39, is hereby reappropriated to provide \$34,000 for the acquisition of police radios and \$11,000 for the new dry chemical fire suppression system for the Police Department, for which \$6,200 is also available from a budget appropriation for a total cost of \$17,200.

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.

Mayor Gilbert read by title Ordinance #17-12.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$527,000.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$501,570.00 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Gilbert asked for a motion to introduce Ordinance #17-12 on first consideration.
Motion by Mangin, seconded by O'Brien

ROLL CALL VOTE:

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

NOES: Reiner

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for June 20, 2017.

Mayor Gilbert read by title Ordinance #17-13.

AN ORDINANCE AMENDING A "REDEVELOPMENT PLAN" FOR BLOCK 16.02/LOT 41 AND AMENDMENTS AND SUPPLEMENTS TO TITLE 16 OF THE "REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN" WITH SPECIFIC REFERENCES TO EXISTING SECTION 16.22.010 "ESTABLISHMENT OF ZONES" TO EXISTING SECTION 16.22.020, "ZONING MAP", AND TO A NEW SECTION 16.28C WHICH INCLUDES ZONING PROVISIONS FOR A NEW "RJR" RARITAN JUNCTION REDEVELOPMENT DISTRICT GOVERNING THE DEVELOPMENT OF A "RARITAN JUNCTION REDEVELOPMENT PLAN"

Mayor Gilbert asked for a motion to introduce Ordinance #17-13 on first consideration.
Motion by O'Brien, seconded by Reiner

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 June 20, 2017.

Mayor Gilbert read by title Ordinance #17-14.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO AMEND AN ORDINANCE ENTITLED REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN, AND MORE SPECIFICALLY TO AMEND CHAPTER 16.02-PURPOSE, ADMINISTRATION, AND DEFINITIONS, CHAPTER 16.22 ZONING DISTRICTS ESTABLISHED, CHAPTER 16.64 GENERAL DESIGN AND USE REGULATIONS, CHAPTER 16.68 CONDITIONAL USES, AND SECTION 16.26F PLANNED COMMERCIAL-OFFICE-SERVICE DISTRICT

Mayor Gilbert asked for a motion to introduce Ordinance #17-14 on first consideration.

Motion by Reiner, seconded by O'Brien

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 June 20, 2017.

Mayor Gilbert read by title Ordinance #17-15.

ORDINANCE REAPPROPRIATING \$20,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF AND INSTALLATION OF FENCING ON OPEN SPACE PROPERTY IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Gilbert asked for a motion to introduce Ordinance #17-15 on first consideration.

Motion by Chen, seconded by Mayor Gilbert

ROLL CALL VOTE:

AYES: Chen, Mangin, Mayor Gilbert

NOES: O'Brien, Reiner

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for June 20, 2017.

CORRESPONDENCE

- a. Open Burning Regulations
 - b. League of Municipalities Daily Updates
 - c. NJDEP Updates
 - d. NJDOT Traffic Advisory regarding Route 202/31 lane shift at the Flemington Circle
-

NON-CONSENT

Raritan Township Fire Company Applications

Mayor Gilbert asked for a motion to approve the application for Christian Callahan.

Motion by Reiner, seconded by O'Brien

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RECUSE: Mangin

Mayor Gilbert asked for a motion to approve the application for Tyler Mehila.

Motion by Chen, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RECUSE: Mangin

At this time, Mayor Gilbert requested that the Committee deviate from the meeting agenda and hold action to follow a second closed session discussion on proposed resolutions, #17-129, authorization to employ Deborah Reynolds as full-time fire prevention administrative assistant and #17-136, authorization to employ Kristi Gano as full-time payroll/benefits coordinator.

Mayor Gilbert read Resolution #17-143 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-143.

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-143

**RESOLUTION APPOINTING LISA FANIA AS
REGISTERED MUNICIPAL CLERK**

WHEREAS, N.J.S.A. 40A:9-133 requires that every municipality shall have a municipal clerk appointed for a three-year term by the governing body; and

WHEREAS, a vacancy exists for the position of Registered Municipal Clerk; and
WHEREAS, the Township Committee of the Township of Raritan wishes to fill this position;

and

WHEREAS, the Township Committee desires to appoint Lisa Fania as the Registered Municipal Clerk for the Township of Raritan for a term of three (3) years commencing on June 26, 2017.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Raritan, in the County of Hunterdon, State of New Jersey, that Lisa Fania is hereby appointed as Registered Municipal Clerk for the Township of Raritan, for a term of three (3) years commencing on June 26, 2017 and ending on June 25, 2020 at an annual salary of \$72,000.00.

Mayor Gilbert read Resolution #17-146 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-146.

Motion by O'Brien, seconded by Mangin

ROLL CALL VOTE:

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

NOES: Reiner

ABSTAIN: None

ABSENT: None

RESOLUTION #17-146

RESOLUTION AWARDING A CONTRACT EXTENSION TO GABEL ASSOCIATES, INC., TO PROVIDE CONSULTING SERVICES TO THE TOWNSHIP OF RARITAN TO IMPLEMENT A GOVERNMENT ENERGY AGGREGATION PROGRAM

WHEREAS, on August 19, 2014, the Township of Raritan, through the adoption of Ordinance #14-14 titled "An Ordinance Authorizing an Energy Aggregation Program in the Township of Raritan, County of Hunterdon, State of New Jersey", established an energy aggregation program to purchase electric generation services pursuant to N.J.S.A. 48:3-93.1 et seq., and N.J.S.A. 14:4-6.1 et seq., for the provision of electric power to residential and non-residential users within the Township without causing any interruption in service; and

WHEREAS, the NJ E-PROCUREMENT Pilot Program allows municipalities to select a consultant to provide services related to the implementation of a Government Energy Aggregation Program without public bidding under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., provided that the consultant is on the New Jersey Department of Community Affairs (DCA) approved vendor list; and

WHEREAS, the Township invited three (3) consultants on the DCA-approved vendor list to make presentations to the Township Committee; and

WHEREAS, the Township Committee, after hearing from the three (3) consultants, issued a Request for Proposals (RFP) to the three (3) consultants in order to seek responses to uniform questions to assist the Township Committee in deciding which consultant on the DCA-approved vendor list to select; and

WHEREAS, on June 25, 2014, the Township received responses to the RFP and, after evaluation, selected Gabel Associates, Inc., 417 Denison Street, Highland Park, New Jersey 08904, to

serve as the Township’s consultant to implement the Government Energy Aggregation Program for a term ending June 30, 2017; and

WHEREAS, the Township entered into an “Agreement by and between Township of Raritan and Gabel Associates, Inc.” (the “Agreement”) with Gabel Associates, Inc. whereby the energy agent fee will be paid by that energy supplier submitting the lowest bid, except that if the energy bid results in positive savings exceeding five (5%) percent to residential customers, and the Township opts not to award to an energy supplier, then the expenses incurred by Gabel Associates, Inc. for the initial informational mailer in the estimated sum of \$4,000.00 may be due from the Township and, pursuant to applicable regulations, the current energy utility may assess a fee of up to \$750.00 for information to identify usage by residential customers; and

WHEREAS, Gabel Associates, Inc. agrees to an extension of the Agreement at the same terms and conditions, including compensation at the level of energy agent fees (\$.00069/kwh) set forth in the current Agreement; and

WHEREAS, any energy agent fee will be paid to Gabel Associates, Inc. directly by the supplier awarded a contract by the Township, therefore there will be no direct cost or expense to the Township in connection with the consulting services under the Agreement; and

WHEREAS, the Township of Raritan is pleased with the performance of Gabel Associates, Inc. and wishes to extend the Agreement to June 30, 2019; and

WHEREAS, Gabel Associates, Inc. continues to be on the DCA- approved vendor list.

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

1. Gabel Associates, Inc., is hereby awarded an extension of the Agreement for consulting services to continue a Government Energy Aggregation Program in the Township of Raritan.
2. The Mayor and Clerk are hereby authorized to sign an “Agreement by between the Township of Raritan and Gabel Associates, Inc.” for an additional two (2) year term from June 30, 2017 ending on June 30, 2019 pursuant to the same terms and conditions set forth in the Agreement.

This Resolution shall take effect immediately.

Mayor Gilbert read Resolution #17-147 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-147.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-147

**STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM ENABLING GRANT RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program provides loans and/or grants to Municipal and County governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Raritan has previously obtained a loan in the amount of \$2,250,000.00 and grants totaling \$2,510,000.00 from the State to fund the following project(s):

**#1021-96-131
Land Acquisition Plan**

WHEREAS, the State and Raritan Township intend to increase Green Acres funding by \$550,000.00; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into a Project Agreement with the State for the above- named project.

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

1. The Township Administrator of the Township of Raritan is hereby authorized to execute an agreement and any amendment thereto with the State known as Open Space Acquisition Plan.
2. The applicant will obtain and provide its matching share of the project, if a match is required, in the amount of \$550,000.00.
3. In the event the State's funds are less than the total project cost specified above, the applicant will obtain and provide the balance of the funding necessary to complete the project.
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project.

This Resolution shall take effect immediately.

Mayor Gilbert read Resolution #17-138 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-138.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-138

**AUTHORIZING FLEMINGTON FOOD PANTRY TO INSTALL
A SHED ON TOWNSHIP-OWNED LAND AT 154 ROUTE 31 NORTH**

WHEREAS, the Flemington Food Pantry has requested permission to install a shed on Township owned land adjacent to the present structure at 154 Route 31 North; and

WHEREAS, Flemington Food Pantry has agreed to follow all Zoning and Building Permit Regulations and Ordinances regarding the installation of this shed.

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 Food Pantry to install a shed on Township owned land, adjacent to the structure located at 154 Route 31 North is approved.

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 O'Brien requested that Resolution #17-132, liquor license renewal - CRI Flemington, Inc., Chimney Rock Inn be removed 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 Reiner, seconded by O'Brien

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

MINUTES:

Township Committee Regular Meeting Minutes of May 2, 2017.

RESOLUTION #17-131

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Acting Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol and Beverage Control and no objections to the renewal of this license has been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Acting Clerk of the Township of Raritan and the Police Department and, since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one-year beginning July 1, 2017 to June 30, 2018:

*Croton Rod & Gun Club, Inc.
t/a Croton Rod & Gun Club
31 Rake Road
Flemington, NJ 08822*

*License #1021-31-006-001
License Fee \$188.00*

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall forward a copy of this resolution to the Division of Alcohol Beverage Control.

RESOLUTION #17-133

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol Beverage Control and no objections to the renewal of this license have been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Township Clerk and the Police Department and since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one year beginning July 1, 2017 to June 30, 2018:

*Apple Food Service of Flemington, LLC
t/a Applebees
Route 202/31 North
Flemington, NJ 08822*

License #1021-33-003-006

License Fee: \$2,500.00

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall send a copy of this resolution to the Division of Alcohol Beverage Control.

RESOLUTION #17-134

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol Beverage Control and no objections to the renewal of this license have been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Township Clerk and the Police Department and since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one year beginning July 1, 2017 to June 30, 2018:

*Brinker New Jersey, Inc.
t/a Chili's Grill & Bar
325 Route 202
Flemington, New Jersey 08822*

*License # 1021-33-001-006
License Fee: \$2,500.00*

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall send a copy of this resolution to the Division of Alcohol Beverage Control.

RESOLUTION #17-135

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol Beverage Control and no objections to the renewal of this license have been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Township Clerk and the Police Department and since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one year beginning July 1, 2017 to June 30, 2018:

*Rare Hospitality International, Inc.
t/a Longhorn Steakhouse
138 Route 31 North
Flemington, NJ 08822*

*License #1021-33-015-003
License Fee #2,500.00*

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall forward a copy of this resolution to the Division of Alcohol Beverage Control.

(Correct name is Padero Solaer was referenced as "Loaer" on agenda and in adopted resolution #17-137.)

RESOLUTION #17-137

WHEREAS, Padero Loaer USA, Inc. in February, 2017 posted a \$850,645.20 Cash Performance Bond; and

WHEREAS, Padero Loaer 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 be reduced in the amount of \$380,370.00 and:

WHEREAS, the Township of Raritan will retain \$292,962.60.

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 in the amount of \$380,370.00.

RESOLUTION #17-150

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol and Beverage Control and no objections to the renewal of this license has been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Clerk of the Township of Raritan and the Police Department and, since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one year beginning July 1, 2017 to June 30, 2018:

*AntSul-BWW VI, LLC
t/a Buffalo Wild Wings
144 Route 31, Suite #100
Flemington, NJ 08822*

*License # 1021-33-013-002
License Fee: \$2,500.00*

BE IT FURTHER RESOLVED that the Acting Clerk of the Township of Raritan, Rose Sollena, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED that the Acting Clerk of the Township of Raritan, Rose Sollena, shall forward a copy of this resolution to the Division of Alcohol Beverage Control.

RESOLUTION #17-139

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol Beverage Control and no objections to the renewal of this license have been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Township Clerk and the Police Department and since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one year beginning July 1, 2017 to June 30, 2018:

*Copper Hill Golf Club Inc.
t/a Copper Hill Country Club
PO Box 4
Flemington, NJ 08822*

*License #1021-31-005-001
License Fee: \$188.00*

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall forward a copy of this resolution to the Division of Alcohol Beverage Control

RESOLUTION #17-140

WHEREAS, the Township Tax Collector has recommended the refund of this over-payment; and

WHEREAS, there exists an overpayment of taxes paid to the Tax Collector of the Township of Raritan due to successful State appeals, over bill credits or overpayment by the taxpayer directly.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Raritan that the following taxpayers receive a refund of the amount as specified:

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>
Wegrzyn, Sandra & Kazar Walter Jr. Refund to CoreLogic 2 nd Quarter 2017	\$3,345.54	79.09	2

RESOLUTION #17-141

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Acting Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol Beverage Control and no objections to the renewal of this license has been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Acting Township Clerk and the Police Department and since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one year beginning July 1, 2017 to June 30, 2018:

*Penns-Raritan, Inc.
t/a Raritan Wine & Spirits
14 Commerce Street
Flemington, NJ 08822*

*License # 1021-44-010-002
Fee: \$2,500.00*

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall forward a copy of this resolution to the Division of Alcohol Beverage Control.

RESOLUTION #17-142

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Acting Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol Beverage Control and no objections to the renewal of this license have been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Acting Township Clerk and the Police Department and since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one year beginning July 1, 2017 to June 30, 2018:

*Skip Little, Inc.
t/a Jake's Restaurant & Bar
253 Route 202/31 South
Flemington, New Jersey 08822*

*License # 1021--33-002-005
Municipal Fee: \$2,500.00*

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall forward a copy of this resolution to the Division of Alcohol Beverage Control.

RESOLUTION #17-144

WHEREAS, Beazer Homes has requested a refund of their Inspection's Escrow Fee; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated May 30, 2017 and recommended the refund of these Inspection Escrow Fees.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Inspection Escrow Fee paid by Beazer Homes in the amount of \$560.50 is hereby refunded.

RESOLUTION #17-145

WHEREAS, Beazer Homes has requested a refund of their Developer's Escrow Fee; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated May 30, 2017 and recommended the refund of this Developer's Escrow Fee.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Developer's Escrow Fee paid by Beazer Homes in the amount of \$64.69 is hereby refunded.

Mayor Gilbert read Resolution #17-132 by title.

A brief discussion was held regarding the jurisdiction of the liquor license and it was confirmed that the license belongs to Raritan Township not Flemington Borough.

Mayor Gilbert asked for a motion to adopt Resolution #17-132.
Motion by O'Brien, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-132

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Acting Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol and Beverage Control and no objections to the renewal of this license has been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Acting Clerk of the Township of Raritan and the Police Department and, since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one year beginning July 1, 2017 to June 30, 2018:

*CRI Flemington Inc.
41 Route 31
Flemington, NJ 08822*

*License #1021-33-014-004
License Fee \$2,500.00*

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, Rose Sollena, shall forward a copy of this resolution to the Division of Alcohol Beverage Control.

PRIVILEGE OF THE FLOOR

There was no public comment.

Mayor Gilbert asked for a motion to reconvene closed session.

Motion by Mangin, seconded by O'Brien

MOTION UNANIMOUSLY CARRIED

RESOLUTION #17-149

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: Payroll/Benefits Coordinator; Fire Prevention Assistant; Municipal Judge Appointment; Deputy Fire Marshal
 - c) Attorney Client Privilege:
 - d) Pending Litigation: Hampton Corner Road Study
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 began at 8:57 p.m.

The regular meeting reconvened at 10:08 p.m.

FURTHER ACTION

Mayor Gilbert read Resolution #17-129 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-129.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-129

**RESOLUTION TO EMPLOY DEBORAH REYNOLDS AS
FULL-TIME FIRE PREVENTION ADMINISTRATIVE ASSISTANT**

WHEREAS, there exists a vacancy in the Fire Prevention Office for the position of Administrative Assistant; and

WHEREAS, the Township Committee wishes to fill this vacancy; and

WHEREAS, the Administrator has interviewed prospective candidates and made a recommendation to the Township Committee; and

WHEREAS, Administrator Donald Hutchins recommends Deborah Reynolds for the position of Fire Prevention Administrative Assistant.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that Deborah Reynolds is hereby employed as the Fire Prevention Administrative Assistant at an annual salary of \$38,000.00, effective June 6, 2017.

Mayor Gilbert read Resolution #17-136 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-136.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RECUSE: O'Brien

RESOLUTION #17-136

**RESOLUTION TO EMPLOY KRISTI GANO AS
FULL-TIME PAYROLL/BENEFITS COORDINATOR**

WHEREAS, there exists a vacancy in the Finance Office for the position of Payroll/Benefits Coordinator; and

WHEREAS, the Township Committee wishes to fill this vacancy; and

WHEREAS, the Administrator has interviewed prospective candidates and made a recommendation to the Township Committee; and

WHEREAS, Administrator Donald Hutchins recommends Kristi Gano for the position of Payroll/Benefits Coordinator.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that Kristi Gano is hereby employed as the Payroll/Benefits Coordinator at an annual salary of \$41,000.00, effective June 27, 2017.

Mayor Gilbert read Resolution #17-129 by title.

Mayor Gilbert read Resolution #17-151 in full.

Mayor Gilbert asked for a motion to adopt Resolution #17-151.

Motion by Mangin, seconded by Chen

ROLL CALL VOTE:

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

NOES: Reiner

ABSTAIN: None

ABSENT: None

RESOLUTION #17-151

APPOINTMENT OF MUNICIPAL COURT JUDGE

WHEREAS, the current Municipal Judge, Joseph S. Novak, will be stepping down from his position as of June 30, 2017; and

WHEREAS, the appointment of the current Municipal Court Judge, Joseph S. Novak, expires on December 31, 2017; and

WHEREAS, the Township Committee is desirous of filling the Municipal Court Judge position and appoint Judge Peter Fico to fill the unexpired term of Judge Joseph S. Novak; and

WHEREAS, the Township Committee has interviewed various candidates to fill the position of Municipal Court Judge for the Township of Raritan.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Raritan that Judge Peter Fico is hereby appointed to the position of Municipal Court Judge for the unexpired term of Judge Joseph S. Novak from July 1, 2017 through December 31, 2017 at a prorated annual salary of \$22,065.15.

ADJOURNMENT

Mayor Gilbert asked for a motion to adjourn.

Motion by Reiner, seconded by Mangin.

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 10:11 p.m.

Respectfully submitted,



Lisa Fania, RMC

Township Clerk