

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, OCTOBER 3, 2017**

MEETING CALLED: Mayor Gilbert called the regular meeting to order at 6:38 p.m.

ROLL CALL: The following were present: Mayor Karen Gilbert, Comm. Michael Mangin, Comm. Richard Chen, Comm. Craig O'Brien, Comm. Lou Reiner. Also present were Township Attorney, Jeffrey Lehrer; Attorney, Ed Purcell; Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; and Police Captain, Kevin Donovan.

MEETING ADVERTISED: Mayor Gilbert advised that the meeting was advertised in accordance with the Open Public Meetings Act in the January 11, 2017 issue of the Courier News and was posted on the office bulletin board and the Township Website.

Township Attorney Lehrer read Resolution #17-246 in full.

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

ROLL CALL VOTE:

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

RESOLUTION #17-246

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: Raritan Township Fire Company – County-Wide Fire Department Proposal; Follow-up on Raritan Ave. Property
- b) Personnel:
- c) Attorney-Client Privilege: Strawser Agreement
- 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 ARE COMPLETED IN A SEPARATE DOCUMENT

The regular meeting reconvened at 7:12 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 any amendments to the Agenda.

Mayor Gilbert advised of one additional item to the meeting agenda, a discussion to authorize the Township Attorney to amend a deed restriction for the Raritan Avenue property.

Motion by Reiner, seconded by Mangin to approve the Agenda as amended.

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 consider action on the proposed resolution #17-250 Authorizing the Use of Temporary Lights at Clover Hill Park by the Greater Flemington Soccer Club (GFSC), as interested parties were in attendance.

Mayor Gilbert read Resolution #17-250 by title.

Mayor Gilbert explained that the proposed resolution memorializes action taken at the September 19, 2017 Township Committee meeting authorizing the use of temporary lighting at Clover Hill Park contingent upon the submission of a certificate of insurance and notification to property owners within 200 feet of the park.

Mayor Gilbert solicited public comment.

The following members of the public spoke during public comment.

Michele Mencer, a resident of 6 Brookview Court and neighbor to Clover Hill Park, requested that the Committee postpone action on the proposed resolution and gather additional information. Ms. Mencer commented on field usage times and that to her knowledge, the lease does not permit the installation of lights. Ms. Mencer also expressed concern about the excavation/contracting business in her neighborhood and the impact of such activity on property values.

Ira Rosenheim, a resident of 27 Patrick Henry Place, attested that all conditions have been satisfied including notification to surrounding property owners within 200 feet and submission of the Certificate of Insurance to the Township. Mr. Rosenheim continued that the GFSC has not received any comments as of meeting time. He also added that the GFSC maintains the fields as well as the park and has been a good neighbor to the surrounding community.

William Connaughton, a resident of 4 Brookview Court, commented that he fully supported the development of the fields but requested action be postponed for consideration of additional information.

Daniel Hendi, a resident of 356 Old York Road, spoke in favor of the proposed temporary lighting at Clover Hill Park as well as the positive impact on the quality of life for children and urged the Committee to consider support.

Regan Schubach, a resident of 27 Pine Hill Road, spoke on behalf of the children of GFSC, expressing support and the need for the proposed lighting.

Mark Moten, a resident at 19 Tiperarry Terrace, commented on the positive impact of having after school children's programs for development and social interaction and spoke in favor of the proposed lighting.

Mayor Gilbert recapped that the request was for lighting during the months of October and November; that the lights will be turned off by a member of the GFSC by 8:00 p.m.; and the lights will be removed no later than November 30.

Mr. Lehrer added that this resolution is in effect until December 31, 2017 and annual renewal is required.

Mayor Gilbert asked for a motion to adopt Resolution #17-250.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-250**A RESOLUTION AUTHORIZING THE USE OF TEMPORARY LIGHTS AT CLOVER HILL PARK BY GREATER FLEMINGTON SOCCER CLUB**

WHEREAS, the Township acquired land located along Clover Hill Road, identified as Block 75, Lot 7.01, consisting of approximately 18.6 acres, for use as a public park for recreational purposes (the "Property"); and

WHEREAS, the Property was granted to the Township for use as a public park for recreational purposes; and

WHEREAS, the Greater Flemington Soccer Club ("Flemington Soccer") expressed to the Township a desire to develop the Property as a recreational public park on behalf of the Township; and **WHEREAS**, Flemington Soccer and the Township negotiated over the development and use of the Property for its youth soccer program, which benefits the youth in Raritan Township, in addition to other organizations, groups and members of the public; and

WHEREAS, Flemington Soccer and the Township have entered into a lease agreement for the use of the Property ("the Lease"), adopted by the Township through ordinance 2008-35, which governs the development, construction, maintenance and scheduling of use of the Property; and

WHEREAS, Flemington Soccer has indicated by way of a letter to the Township, attached hereto as Exhibit "A", that the limitation in daylight hours, brought on by the change in seasons, has significantly impacted its ability to provide adequate training; and

WHEREAS, Flemington Soccer now wishes to use temporary portable lights to illuminate portions of the Property at night in order to allow for adequate training to its sports teams during September, October and November; and

WHEREAS, Section 22 of the Lease requires that lighting systems that are to be installed on the property must receive site plan approval pursuant to Section 16.20.040(G) of the Revised General Ordinances of the Township of Raritan; and

WHEREAS, the lighting systems proposed by Flemington Soccer do not require site plan approval because they are temporary in nature and thus are not "structures" pursuant to the Township's Land Development ordinance; and

WHEREAS, in any event, a municipality may exempt itself from its zoning regulations for development on municipally-owned property per Hills of Troy v. Parsippany, 391 N.J. Super. 593 (Law Div. 2005); and

WHEREAS, the Township Committee of the Township of Raritan has determined that it is in the best interests of the Township and the public to allow for Flemington Soccer to place temporary lights on the Property.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Flemington Soccer shall be allowed to place temporary lights on the Property, without the need to secure site plan approval.

NOW THEREFORE BE IT FURTHER RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Flemington Soccer's placement of temporary lights on the Property shall be subject to the following restrictions and requirements:

1. The term of the Township's approval for the use of temporary lights on the Property shall begin upon the adoption of this resolution by the Township Committee and shall terminate on December 31, 2017. Any future request for temporary lighting shall be presented to the Township Committee at least 45 days prior to the date Flemington Soccer desires to use the temporary lights.

2. Flemington Soccer shall provide to the Township Administrator proof of additional insurance related to the use of its temporary lights prior to their use.
3. Flemington Soccer shall designate members to turn on and turn off its temporary lights.
4. Flemington Soccer shall only use its temporary lights during the months of October and November, 2017.
5. Flemington Soccer will remove its temporary lights from the Property before November 30, 2017.

PRESENTATION – COUNTY-WIDE DAYTIME FIRE DEPARTMENT

Robert Walton, member of the Hunterdon County Fire Chief's Association, stated that he is not presenting in the capacity of a Hunterdon County Freeholder. Mr. Walton presented a power point presentation on the proposed plan for a daytime Hunterdon County Fire Service that included the following:

- The problem
 - Fewer people working in Hunterdon
 - Fewer people able to or willing to join volunteer fire companies
 - LOSAP, recruitment videos, other efforts not able to fill gap of fewer volunteers
 - Daytime staffing is insufficient to meet the needs of call type and volume
- Firefighters are needed
 - Demand
 - Demographics
 - Minimum Staff to Respond
 - Response Time (Minutes)
 - Meets Objective (%)
 - Suburban Area
 - Rural Area
 - Remote Area
 - Special Risks
- Solution
 - Paid Staff to Augment Volunteers
 - Crews based in three (3) regions
 - Two (2) Crews based in firehouses and one (1) crew based in County Hazmat Building
- Options
 - Stipend
 - Purchase three (3) new engines, staffed, located at County garages
 - Use existing firehouse with paid staff
 - Use per diems to staff crews
 - Four, five or more crews around the County
 - Do nothing and pray
- Three Regions
 - Hunterdon County 2012 to August 2016 fire calls by fire box area) distribution of fire calls by fire box

- West Region
 - Alexandria, Bethlehem, Bloomsbury, Clinton Town, Franklin, Frenchtown, Holland, Kingwood, Milford, Union
- East Region
 - Califon, Clinton Township, Glen Gardner, Hampton, High Bridge, Lebanon Borough, Lebanon Township, Readington, Tewksbury
- South Region
 - Delaware, Flemington, East Amwell, Lambertville, Raritan Township, Stockton, West Amwell
- Regional Statistics
 - Population
 - Households
 - Area
- Available Locations
- Personnel Budget
 - Titles and Salaries
 - Year 1 and Year 2
- Crew Schedule Sample
 - Week One
 - Week Two
- Hybrid Model: The Operating & Capital Budget
 - Equipment and Facilities
 - Annual Cost
- Total Budget
 - Equipment and Facilities
 - Personnel
 - Operating Budget
- Tax Bill per \$300,000 of assessed value
- Questions
- Next Steps

Committee Members raised questions and concerns regarding response protocol when calls are dispatched; data collection; consolidation of fire departments; personnel budget; plan to augment costs; accuracy of response time data; Raritan Township's response time in reference to the eighty percent (80%), 10 firefighters within 10 minutes standard; impact of proposed paid staff to volunteers; and supervision of staff.

Mayor Gilbert solicited public comment.

Raritan Township Fire Company (RTFC) members commented on human error in the data presented including dispatching of fire companies and spoke about the RTFC's response time and number of responders.

Mark Peters, a resident of 23 Timberwick Drive, asked for clarification as to the need for the proposed plan; and inquired as to the extent of fires in Hunterdon County and the number of required personnel.

Frances Gavigan, a resident of Hunterdon County, asked for clarification of the formation of regions; location of command centers in each region; fire data including nature of the fires, grade, call type - minor or moderate, loss of property or life; and total cost of proposed plan to residents.

Steve Wetter, former Fire Chief, Raritan Township Fire Company, responded that the department averages ten (10) to twelve (12) minutes response time but does not meet the eighty percent (80%) standard with 10 responders.

During the discussion, Mr. Walton clarified that response time, including volunteers, mutual companies and paid crews, depends on the location of the crew base in relation to the call. Mr. Walton explained that the issue is that nearly every fire company in the County is not meeting NFPA (National Fire Protection Association) response standards, due to the lack of manpower, which requires ten (10) firefighters on scene in a suburban area in ten (10) minutes; and six (6) firefighters in fourteen (14) minutes for a rural area like Alexandria Township. Mr. Walton continued that there are approximately 3,000 calls per year (not including Highway 78 or other major highways) and seventy percent (70%) of the time the crews respond within fourteen (14) minutes; thirty-percent (30%) of the time they do not.

Mr. Walton recapped that each firehouse would host a company and receive a weekly stipend to offset costs of using their apparatus and equipment. He further commented on funding availability at Federal, State and County levels. He explained that the cost to the taxpayer of an average home assessed at \$300,000.00 would be \$21.99 per year. Mr. Walton added that utilizing part-time and per diem staff could augment costs of the plan.

Committee Members thanked Mr. Walton for the presentation and advised that the discussion will be carried for consideration at a future scheduled meeting.

Mr. Lehrer noted that Committee Member Mangin was recused from the discussion due to a conflict of interest, as a member of the Raritan Township Fire Company.

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:

Frank Nagy, a resident of 117 Old Clinton Road, Co-chairman of the Raritan Township Board of Health, appeared before the Committee along with Co-chairman Mark Peters to express concerns regarding the proposed ordinance reducing the pet license late fee.

Mark Peters, a resident of 23 Timberwick Drive, spoke of his 30+ years' experience in healthcare as a clinical pharmacist and on the importance of vaccinations. He quoted that, "according to the CDC, the decline in death from rabies is due to improved control and vaccination of domestic animals." He continued that the Township needs to ensure that pet licensing procedures and fees are consistent and that individuals are accountable and responsible so that healthcare professionals have current vaccination records in the event of a dog bite. He also stated that the Township's late fee was comparable

to neighboring municipalities including Delaware, East Amwell, West Amwell, Union and Readington Townships. Mr. Peters requested that the proposed ordinance be withdrawn as the amendments were not in the best interest of public health nor to the Township's neighboring municipalities.

Tadgh Rainey, Director, Hunterdon County Division of Public Health, spoke in opposition to the proposed ordinance amending pet licensing fees. Mr. Rainey commented on the impact of a reduced late fee on compliance; increased costs to the Township; pet owner protection and liability; and county health issues. Mr. Rainey continued that licensing is about rabies control from the Health Department's perspective, which is the contracting health services agent for the Township. He advised that the County has very little rabies due to the vaccination of pets and accessibility to vaccines, if needed. He added that licensing in a timely fashion ensures rabies vaccination compliance. Mr. Rainey expressed concern that a reduced fee will result in a decline in compliance for a Township that has very good compliance and suggested no change to the existing ordinance.

Committee Member Reiner asked about the impact on workload if compliance slipped.

Ms. Fania advised that there would be an increase in workload to the Clerk's office, the Court, and Animal Control services.

At this time, Mayor Gilbert asked the Committee to consider action on proposed Ordinance #17-36 Amending Title 6 Entitled "Animal Control" of the Revised General Ordinances of the Township of Raritan to Revise Provisions Related to late fees, as interested parties were in attendance.

Mayor Gilbert asked for a motion to introduce Ordinance #17-36 on first consideration.

Motion by Mangin, seconded by Reiner to table Ordinance #17-36

AYES: Mangin, Reiner, Mayor Gilbert

NOES: Chen, O'Brien

ABSTAIN: None

ABSENT: None

ORDINANCE TABLED

Public comment continued.

Barbara Sachau, a resident of 2 Glenview Drive, commented on the status of volunteers and suggested posting recruitment information on the Township and County websites and at Community Day. She added that fire departments need to help each other and cannot rely on the federal government for assistance; and that Mr. Walton should make the County-wide Fire Department presentation available to the public.

FINANCIAL ISSUES

Payment of Bills as listed for **Raritan Township: \$913,577.47**

Motion by Mangin, seconded by Chen to approve the bill list for Raritan Township.

ROLL CALL VOTE:

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

Payment of Bills as listed for **Raritan Township Fire Company: \$2,155.90**

Motion by Reiner, seconded by Chen to approve bill list for Raritan Township Fire Company.

ROLL CALL VOTE:

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

REPORTS

*Office of Emergency Management

Chris Phelan, OEM Coordinator, advised Committee Members of a volunteer recruitment drive initiative for emergency services that will be underway shortly.

LIAISON REPORTS

Karen Gilbert: Historians, Finance, Personnel, Planning Board (Class I)
Mayor Gilbert announced the upcoming date and scheduled activities for Community Day (October 7).

Michael Mangin Planning Board (Class II, RTMUA)
Deputy Mayor Mangin reported on a recent meeting of the RTMUA advising of the adoption of two resolutions, one increasing sewer capacity for Johanna Farms and another approving sewer improvements at Commerce Street; and the introduction of the 2018 budget proposing a two percent (2%) or \$12.00/ household increase.

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

Richard Chen: Finance, Open Space, Parks & Recreation
No report.

Craig O'Brien: Open Space
No report.

UNFINISHED BUSINESS

Mayor Gilbert asked for a motion to amend the deed restriction for the Raritan Avenue property to allow requests by the Raritan Township Fire Company for events by resolution rather than by ordinance.

Motion by Reiner, seconded by Chen to authorize the Township Attorney to amend the Raritan Avenue property deed restriction.

ROLL CALL VOTE:

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

NOES: None

RECUSE: Mangin

ABSTAIN: None

ABSENT: None

NEW BUSINESS

Electric Vehicle Lease – Discussion was held regarding the leasing of an electric vehicle including maintenance; fuel savings; and environmental benefits. Mr. Hutchins explained that the proposed lease is for three-years with full warranty and no maintenance requirement of Public Works. He added that in conjunction with Sustainable New Jersey, a charging station will be evaluated which would be available for public use.

Committee Member O'Brien commented on previous vehicle purchases for 2017 including three (3) pickup trucks for Public Works; five (5) vehicles for the Construction Department; and three (3) more for the Police Department including a Sports Utility Vehicle from the Capital Budget. Committee Member O'Brien suggested tabling the proposed lease due to the level of spending for 2017.

Mayor Gilbert asked for a motion to proceed with the lease agreement for the electric vehicle.

Motion by Chen, seconded by Mangin

ROLL CALL VOTE:

AYES: Chen, Mangin, Gilbert

NOES: O'Brien

ABSTAIN: Reiner

ABSENT: None

Policy for Appointments to Environmental Commission - Mayor Gilbert explained that there had been some uncertainty regarding appointments to the Environmental Commission so the Township Attorney was tasked with reviewing State statute for compliance. Mayor Gilbert advised that Counsel has recommended that the Township's ordinance regarding appointments to the Environmental Commission be amended to correct inconsistencies with the State statute.

It was the consensus of the Committee to authorize Mr. Lehrer to proceed with amending the ordinance to correct inconsistencies for compliance to State statute regarding the appointments to the Environmental Commission.

ORDINANCES (FINAL ADOPTION, PUBLIC HEARING)

Mayor Gilbert read Ordinance #17-29 by title.

AN ORDINANCE ACCEPTING A SIGHT TRIANGLE EASEMENT FROM BEDFORD FALLS, LLC. FOR LOT 31.02 IN BLOCK 63.14 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

Mayor Gilbert asked for a motion to open public hearing.

Motion by Mangin, seconded by Chen

MOTION UNANIMOUSLY CARRIED

No public comment.

Mr. Lehrer explained that the following two (2) proposed ordinances are a housekeeping requirement of a Planning or Zoning Board application.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-29 on final consideration, same to be published according to law.

Motion by Chen, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised September 25, 2017 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #17-29

AN ORDINANCE ACCEPTING A SIGHT TRIANGLE EASEMENT FROM BEDFORD FALLS, LLC. FOR LOT 31.02 IN BLOCK 63.14 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

WHEREAS, Bedford Falls, LLC is the owner of property located at Lot 31.02 in Block 63.14 (the "Property") as shown on the Tax Map of the Township of Raritan; and

WHEREAS, on May 18, 2017 Bedford Falls, LLC received D(3) conditional use variances, C(2) rear yard setback, impervious coverage, and signage variances; site plan ordinance exceptions, and conditional use approval and preliminary and final major site plan approvals for the Property (the "Approval") for the Property from the Raritan Township Board of Adjustment (the "Board"), RTBOA File No. 2016-16, which Approval was memorialized by a Resolution of Approval No. 2017-04; and

WHEREAS, as a condition of the Approval, the Board required the execution and recording of a Sight Triangle Easement; and

WHEREAS, the Sight Triangle Easement has been reviewed and approved by the Raritan Township Attorney and Township Engineer; and

WHEREAS, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, wishes to accept the Sight Triangle Easement.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that it hereby authorizes acceptance of the Sight Triangle Easement attached hereto as Exhibit "A."

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its adoption, passage and publication according to law.

Mayor Gilbert read Ordinance #17-31 by title.

AUTHORIZING ACCEPTANCE OF CONSERVATION EASEMENTS, LAND MAINTENANCE COVENANT AND TEMPORARY RESTRICTIVE COVENANT APPLICABLE TO BLOCK 86, LOT 10.01 FROM LANDMARK INFRASTRUCTURE HOLDING COMPANY LLC; CONSERVATION EASEMENTS APPLICABLE TO BLOCK 86, LOT 26 FROM LANDMARK INFRASTRUCTURE HOLDING COMPANY LLC AND ESTATE OF BRUCE A. BLUMBERG; CONSERVATION EASEMENTS, FIRE SUPPRESSION EASEMENT AND ACCESS EASEMENT APPLICABLE TO BLOCK 86, LOT 26.02 FROM LANDMARK INFRASTRUCTURE HOLDING COMPANY LLC AND ESTATE OF BRUCE A. BLUMBERG; AND CONSERVATION EASEMENTS, AND TEMPORARY RESTRICTIVE COVENANT APPLICABLE TO BLOCK 86, LOTS 100.01 AND 100.02 FROM LANDMARK INFRASTRUCTURE HOLDING COMPANY LLC AND BURENGA FAMILY PARTNERSHIP, L.P.

Mayor Gilbert asked for a motion to open the public hearing.

Motion by Mangin, seconded by Chen

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-31 on final consideration, same to be published according to law.

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised September 25, 2017 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #17-31

AN ORDINANCE AUTHORIZING ACCEPTANCE OF CONSERVATION EASEMENTS, LAND MAINTENANCE COVENANT AND TEMPORARY RESTRICTIVE COVENANT APPLICABLE TO BLOCK 86, LOT 10.01 FROM LANDMARK INFRASTRUCTURE HOLDING COMPANY LLC; CONSERVATION EASEMENTS APPLICABLE TO BLOCK 86, LOT 26 FROM LANDMARK INFRASTRUCTURE HOLDING COMPANY LLC AND ESTATE OF BRUCE A. BLUMBERG; CONSERVATION EASEMENTS, FIRE SUPPRESSION EASEMENT AND ACCESS EASEMENT APPLICABLE TO BLOCK 86, LOT 26.02 FROM LANDMARK INFRASTRUCTURE HOLDING COMPANY LLC AND ESTATE OF BRUCE A. BLUMBERG; AND CONSERVATION EASEMENTS, AND TEMPORARY RESTRICTIVE COVENANT APPLICABLE TO BLOCK 86, LOTS 100.01 AND 100.02 FROM LANDMARK INFRASTRUCTURE HOLDING COMPANY LLC AND BURENGA FAMILY PARTNERSHIP, L.P.

WHEREAS, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, wishes to accept Conservation Easements, Land Maintenance Covenant and Temporary Restrictive Covenant Applicable to Block 86, Lot 10.01 conveyed to the Township by Landmark Infrastructure Holding Company LLC, applicable to Block 86, Lot 10.01 (previously Lot 10) as shown on the Tax Map of the Township of Raritan ("Property"); and

WHEREAS, the Township Committee also wishes to accept Conservation Easements Applicable to Block 86, Lot 26 conveyed to the Township by Landmark Infrastructure Holding Company LLC and Estate of Bruce A. Blumberg, applicable to Block 86, Lot 26 as shown on the Tax Map of the Township of Raritan; and

WHEREAS, the Township Committee also wishes to accept Conservation Easements, Fire Suppression Easement and Access Easement Applicable to Block 86, Lot 26.02 conveyed to the Township by Landmark Infrastructure Holding Company LLC and Estate of Bruce A. Blumberg, applicable to Block 86, Lot 26.02 as shown on the Tax Map of the Township of Raritan; and

WHEREAS, the Township Committee also wishes to accept Conservation Easements, and Temporary Restrictive Covenant Applicable to Block 86, Lots 100.01 and 100.02 conveyed to the Township by Landmark Infrastructure Holding Company LLC and Burenga Family Partnership, L.P., applicable to Block 86, Lots 100.01 and 100.02 as shown on the Tax Map of the Township of Raritan; and

WHEREAS, these Easements are required by the Township of Raritan Board of Adjustment Resolution Nos. 2016-07, 2017-03 and 2017-06, R.T.Z.B. Application No. 8-2016; and

WHEREAS, the Landmark Infrastructure Holding Company LLC, the Estate of Bruce A. Blumberg, and the Burenga Family Partnership, L.P., agreed to donate the Easements at no cost to the Township; and

WHEREAS, the Township Attorney for the Township of Raritan reviewed the four (4) Easements in substantially the form attached and finds each acceptable.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that it hereby authorizes acceptance of the four (4) Easements attached hereto and directs its appropriate officials to record same as may be necessary.

This Ordinance shall become effective according to law.

ORDINANCES (INTRODUCTION, FIRST READING)

Mayor Gilbert read by title Ordinance #17-30.

ORDINANCE REAPPROPRIATING \$6,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE MAJOR REPAIR OF THE 911 CLOCK AT THE MUNICIPAL BUILDING IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Verbatim transcription per request of Committee Member O'Brien.

Mayor Gilbert stated, "we have information in our packet, there was a question raised regarding whether or not we were using the correct funds. There are apparently no meeting minutes from that meeting. None that we could find. So our clerk took the time to listen to the recording and what you have here is a verbatim transcription of the meeting where that discussion took place.

Committee Member O'Brien stated, "I brought the minutes to the last meeting. I'll happily produce them again."

Ms. Fania stated, "we can't find them."

Committee Member O'Brien stated, "I don't have them with me, I'll happily produce them again."

Mayor Gilbert stated, "They don't appear on any agenda. If you have them they were never approved by the Committee."

Committee Member O'Brien stated, "Yes, yes they were. I will happily produce them again. I don't have them with me but I will happily produce them again."

Mayor Gilbert stated, "The information that we have before us is a verbatim transcription which shows that we specifically discussed that the toilet and sink fixture was \$6,000.00. We specifically discussed the fact that there was money left over because we did not need to do the toilet and sink fixture replacement and that amount was specifically \$6,000.00 and I do recall that the amount, I checked my notes, the amount originally for the clock was 6,200 or 6,300 dollars and they agreed to do it for

\$6,000.00 because that is what we have left over and that was very specific description that we were going to use that money to cover the cost of the clock.”

Committee Member Reiner stated, “and the toilet was in 16-10, no question.”

Committee Member O’Brien stated, “So it’s funny, two (2) people read this and read different things. I came at the last meeting and said we agreed that we would take it out of the budget and I was told I didn’t know what I was talking about. Some people came close to saying I was lying but they didn’t.

So the verbatim minutes I look for the word bonding, bond ordinance, debt, borrowing, reallocation of funds and it is not in here. But I do see the word budget, 1, 2, 3, I think 4 times and it says, ‘Mayor Gilbert says so they can do it for what we have in our budget. Tony Hajjar, yes correct. Mayor Gilbert, they will do it for 6,000 dollars because that is what we have in our budget to cover. The verbatim transcript says budget multiple times. We vote on a resolution to replace it with money in the budget. The minutes, which I will again produce, show that it says minutes, nowhere does it say bond, borrow, ordinance, or debt and Lou, if you think it’s in 16-10, here is five bucks, give it to anybody in this committee who can list the items that are in 16-10 (Committee Member O’Brien slams the dais). Take your best shot because nobody here can say what is in a line item. I’m glad we did this, I gave you a minute to finish, let me finish.”

Mayor Gilbert stated, “Excuse me, (slammed the gavel)”

Committee Member O’Brien stated, “I have the floor.”

Mayor Gilbert stated, “it is inappropriate for you to be making wagers with another committeeman on the dais.”

Committee Member Reiner stated, “he is trying to provoke a situation and its not going to work, just relax people.”

Committee Member O’Brien stated, “Verbatim minutes say budget.”

Mr. Lehrer stated, “Completely inappropriate. In all of my years, I have never seen someone take out money and try to bribe another committeeman.”

Committee Member O’Brien stated, “That was not a bribe, please, that was a friendly wager Jeff, O for crying out loud.”

Mr. Lehrer stated, “It sure looked like it to me.”

Committee Member Reiner stated, “Let’s move on.”

Committee Member O’Brien, stated, “I have one more question. If this was supposed to be a bond ordinance, why was the bond ordinance never introduced, who fell asleep at the switch? Who didn’t get their job done?”

Mayor Gilbert stated, “If you recall, at that point in time we were in a major transition period. That was when we had let our former administrator go, we had our CFO as our interim, or temporary, I can’t

remember which, an interim administrator and we were trying to figure out who was going to be appointed as our temporary administrator so things were quite chaotic at the time and if we happened not to authorize something that frankly you were very emphatic about doing, that we didn't do it properly in terms of the resolution, this is a housekeeping item we contacted the State and the State said this was all we need to do and I would like to ask for a motion to introduce Ordinance #17-30 on first consideration, same to be published according to law with a public hearing and a final vote scheduled for the meeting of November 6, 2017 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, NJ at which time all interested persons will be heard."

Committee Member Reiner stated, "I will move to reappropriate the funds for the clock."

Mayor Gilbert asked for a motion to introduce Ordinance #17-30 on first consideration.
Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert
NOES: O'Brien, "we should be paying for this out of cash."
ABSTAIN: None
ABSENT: None

Committee Member Reiner stated, "Correction, it is being paid for out of cash, it's a reallocation. It is reappropriating, it's not bonding."

Mayor Gilbert stated, "all right the discussion is over, it has been introduced. Thank you."

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 6, 2017.

Mayor Gilbert read by title Ordinance #17-32.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$791,700.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$753,193.10 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Gilbert asked for a motion to introduce Ordinance #17-32 on first consideration.
Motion by Chen, seconded by Mangin

ROLL CALL VOTE:

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

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 6, 2017.

During the vote, Committee Member Reiner commented that he would not be casting a vote at this time, as additional information is needed.

Mayor Gilbert read by title Ordinance #17-34.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF A PERCENTAGE OF THAT PROPERTY KNOWN AS BLOCK 20, LOT 12, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN, FROM MARK HOLLENBACK AND ELLEN HOLLENBACK, AND APPROPRIATING THE NECESSARY FUNDS

Marie Newell, Project Coordinator, Acquisition, New Jersey Conservation Foundation, thanked the Township for their partnership in land preservation in Hunterdon County.

Ms. Newell explained funding allocations among partners including the New Jersey Conservation Foundation through Green Acres; the Township; and the County; certified market value; and identification of the parcel in the Township's Open Space Plan.

Discussion was held regarding clarification of the funding percentages for the Conservation Foundation and the Township; outstanding issues with the Hollenback property; and requirements for using this ratio of Township Green Acres Funds and Township share of County Open Space Funds.

During the discussion, Ms. Newell clarified that the Conservation Foundation is contributing fifty-two percent (52%) and the Township forty-eight percent (48%) and that all issues have been resolved with such parcel. Ms. Newell continued that only eighteen (18) acres are in preservation. She further explained that her preference is to use more Green Acres money than less because the Township's share of County Open Space funds has a broader range of use.

Mayor Gilbert reiterated that all issues have been resolved with the Hollenback property and recapped that the Township had adopted Resolution #13-99 authorizing this action and the funding model.

Mr. Lehrer clarified that the assignment document will be amended to reflect the percentages of 52/48 and that signature from the Attorney General is not required.

Mayor Gilbert asked for a motion to introduce Ordinance #17-34 on first consideration.
Motion by Mangin, seconded by Chen

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 6, 2017.

Mayor Gilbert read by title Ordinance #17-35.

ORDINANCE REAPPROPRIATING \$32,200.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION AND INSTALLATION OF NEW FENCE AND FENCE REPAIR FOR LENAPE PARK, AN 8 FOOT SNOW PLOW ATTACHMENT AND THE REPLACEMENT OF THREE OVERHEAD GARAGE DOORS FOR THE DPW FACILITY IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Gilbert advised that the year reference to the ordinance be amended to read 2016.

Mayor Gilbert asked for a motion to introduce Ordinance #17-35 on first consideration as amended.
Motion by Chen, seconded by Mangin

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert

NOES: O'Brien

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 6, 2017.

CORRESPONDENCE

*Dilts & Koester – Coffee Bar

*Letter of commendation for Engineering Department

*New Jersey State Agriculture Development Committee Grant Opportunities

NON-CONSENT AGENDA

Mayor Gilbert read Resolution #17-245 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-245.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-245

A RESOLUTION AWARDING A CONTRACT TO MORTON SALT, INC. FOR ROCK SALT AND SETCON IND., INC. FOR LIQUID CALCIUM CHLORIDE

WHEREAS, the Township of Raritan and the Hunterdon County Cooperative Pricing System enter into a Cooperative Pricing Agreement pursuant to N.J.S.A. 40A:11-10; and

WHEREAS, the Hunterdon County Cooperative Pricing System, as the lead agency, has complied with the provisions of the Local Public Contracts Law and has awarded a Master Contract for the purchase of Salt and Liquid Calcium Chloride for Snow and Ice Control for the 2017-2018 Snow Season (Identification Code #51-HCCPS) under Hunterdon County Bid #2017-18 to Morton Salt, Inc. of Chicago, IL for a contract price of \$51.31 per ton for Rock Salt and to Setcon Ind. Inc. of Riverdale, NJ for a contract price of .925 per gallon for Liquid Calcium Chloride; and

WHEREAS, in accordance with the provision of the Cooperative Pricing Agreement, the Township must enter into a formal written contract directly with the successful bidder.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Raritan that a contract be awarded for the purchase of Salt and Liquid Calcium Chloride for Snow and Ice Control for the 2017-2018 Snow Season (Identification Code #51-HCCPS) under Hunterdon County Bid #2017-18 to Morton Salt, Inc. of Chicago, IL for a contract price of \$51.31 per ton for Rock Salt and to Setcon Ind. Inc. of Riverdale, NJ for a contract price of .925 per gallon for Liquid Calcium Chloride.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to execute said contract documents.

Mayor Gilbert read Resolution #17-244 by title.

At this time, Committee Member O'Brien requested that monthly budget reports including grants be provided by the Chief Financial Officer.

Mayor Gilbert asked for a motion to adopt Resolution #17-244.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-244

A RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1985) DRUNK DRIVING ENFORCEMENT GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Raritan has been awarded \$5,066.59 from the Division of Criminal Justice for 2017 Drunk Driving Enforcement Fund and wishes to amend its 2017 Budget to include this amount as a revenue.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$5,066.59 which is available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of Local
Government Services:

Public and Private Revenues Off-Set with
Appropriations:
2017 Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that a like sum of \$5,066.59 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from Caps
Public and Private Programs Off-Set by Revenues:
2017 Drunk Driving Enforcement Fund
Other Expenses

BE IT FURTHER RESOLVED that the Township Clerk forward two copies of the required Certification to the Director of Local Government Services within three days.

At this time, Mayor Gilbert requested that the Committee consider action on proposed Resolution #17-249 Approving the Raritan Township Personnel Policies and Procedures Manual, as its approval impacted the approval of Resolution #17-248, certifying the completed best practices inventory.

Mayor Gilbert read Resolution #17-249 by title.

Mayor Gilbert informed Committee Members that the last time the Township's Personnel Policies and Procedures Manual was reviewed was in the '70s.

Committee Member O'Brien requested a discussion.

Committee Member O'Brien expressed concerns for employees regarding the Township's zero tolerance Internet Policy and asked for clarification on the Nepotism policy as well. Committee Member O'Brien requested that additional information be gathered from other municipalities before proceeding.

Mr. Hutchins commented that the Internet Policy was drafted by the Township Attorney in 2008 and recommended proceeding with the proposed draft and amending at a future date.

Committee Members commented on corporate workplace and State Internet use policies. Mr. Hutchins advised that the Township does not have the staff to monitor daily computer usage. Mr. Lehrer advised that the language referring to Internet Usage is industry-standard and suggested approving the proposed manual and amending at a future date.

Mayor Gilbert asked for a motion to adopt Resolution #17-249.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

During the vote, Committee Member O'Brien voiced that he had reservations about the Internet Policy but voted yes.

RESOLUTION #17-249

**A RESOLUTION APPROVING THE RARITAN TOWNSHIP
PERSONNEL POLICIES AND PROCEDURES MANUAL**

WHEREAS, it is the policy of the Township of Raritan to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to, Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the ADA Amendments Act of 2008, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers' Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA), the New Jersey Security and Financial Empowerment Act and the Open Public Meetings Act; and

WHEREAS, the Raritan Township Committee has determined that there is a need for personnel policies and procedures to ensure that employees, prospective employees, officials, volunteers and vendors and contractors are treated in a manner consistent with these laws and regulations.

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 Personnel Policies and Procedures attached hereto are hereby updated and adopted for 2017.

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Raritan that these personnel policies and procedures shall apply to all municipal officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective negotiations agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Personnel Policies and Procedures Manual is intended to provide guidelines covering public service by municipality workers and does not serve as a contract. The provisions of this Manual

may be amended and supplemented from time to time without notice and at the sole discretion of the Township Committee.

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Raritan that, to the maximum extent permitted by law, employment practices for the municipality shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Township Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Human Resource/Payroll Coordinator shall assist the Township Administrator in the implementation of the policies and procedures in this manual, as directed by Township Committee action.

Mayor Gilbert read Resolution #17-248 by title.

Mayor Gilbert advised of two (2) amendments to the checklist; “NO” to Item 4 and “YES” to Item 25.

Committee Member O’Brien asked for clarification that all answers have been verified. Mr. Hutchins attested that to the best of his and the Chief Financial Officer’s knowledge, all answers are correct.

Mayor Gilbert asked for a motion to adopt Resolution #17-248 as amended.

Motion by Chen, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-248

A RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO CERTIFY THAT THE GOVERNING BODY HAS REVIEWED THE COMPLETED BEST PRACTICES INVENTORY AT A PUBLIC MEETING

BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Municipal Clerk be and is hereby authorized to certify that the Governing Body has reviewed the Completed Best Practices Inventory as prepared by the Chief Financial Officer at a public meeting held on October 3, 2017.

Mayor Gilbert read Resolution #17-251 by title.

Mayor Gilbert explained that the proposed resolution executes an agreement with Mr. Strawser for the clean-up and remediation of his property to bring into compliance with the Revised General Ordinances of the Township within one (1) year.

Mayor Gilbert asked for a motion to adopt Resolution #17-251.
Motion by Mangin, seconded by Chen

ROLL CALL VOTE:

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

RESOLUTION #17-251

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
BETWEEN THE TOWNSHIP OF RARITAN AND JOHN EDWARD STRAWSER**

WHEREAS, John Edward Strawser is the owner of certain residential real property located at 66 Cherryville Hollow Road, Raritan Township, Hunterdon County, New Jersey and further described on the tax rolls of the Township as Block 6.12, Lot 64 (the "Property"); and

WHEREAS, Raritan Township (the "Township") issued two zoning summonses against Mr. Strawser, to wit: SC 003254 (Operating an Illegal Junkyard), in violation of Ordinance 16.64.010.C.4, dated November 17, 2014, and SC 003255 (No Open or Outdoor Storage of Manufacturing or Other Materials, Junk, Scrap, Raw Materials, Parts of Waste Products), in violation of Ordinance 16.74.130, dated November 17, 2014 (hereinafter collectively referred to as the "Complaints"); and

WHEREAS, Mr. Strawser has agreed to plead guilty to the Complaints and to continue to clean up and remediate the Property so that it is in compliance with the Revised General Ordinances of the Township of Raritan within one (1) year; and

WHEREAS, the Township is desirous of entering into an agreement with Mr. Strawser to ensure that the Property is properly cleaned and remediated.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, does hereby authorize the Mayor to execute the agreement, attached hereto as Exhibit "A," on behalf of the Township.

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, as amended with Items A & C remaining.

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

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

RESOLUTION #17-247

AUTHORIZING THE REFUND OF ESCROW (MILLENNIUM/UNITY)

WHEREAS, an escrow deposit was made in error from Millennium/Unity; and

WHEREAS, Millennium/Unity has requested the return of its funds; and

WHEREAS, Kristi Gano, Payroll/HR Coordinator, has submitted a memo dated September 26, 2017 and recommended the refund of the following funds:

Millennium/Unity 3-2011(U)	\$214.95
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NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan that funds in the amount of \$214.95 posted by Millennium/Unity are hereby refunded.

RESOLUTION #17-252

**RESOLUTION AMENDING THE REFUND AMOUNT
OF A DEVELOPER'S ESCROW**

WHEREAS, Resolution #17-216 was adopted September 5, 2017 authorizing the refund of a Developer's Escrow in the amount of \$107.09 to Barbiche Brothers; and

WHEREAS, the Finance Department has determined that there was an error in the amount on said resolution; and

WHEREAS, Kristi Gano, Payroll/HR Coordinator, has submitted a memo dated September 29, 2017 revising said amount of refund to \$170.09.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan that the Developer's Escrow in the amount of \$107.09 authorized to be refunded on September 5, 2017 by Resolution #17-216 be corrected to the revised amount of \$170.09.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Mark Peters, 23 Timberwick Drive, commended Clerk Fania and Administrator Hutchins for their work efforts and accomplishments. Mr. Peters also spoke highly of the Construction office. Mr. Peters expressed concerns regarding the unsafe condition of vacant properties in the Township including 8 Cherryville Hollow Road; and the impact on property values. Mr. Peters suggested researching other states such as Florida, Nevada and California to see how they are dealing with such issue.

Mayor Gilbert responded that the Township's property maintenance ordinance is complaint driven and suggested that Mr. Peters relate concerns to the Township Zoning Officer, Tony Hajjar or Township Property Maintenance/Zoning Inspector, Bill Sidote. Mayor Gilbert advised that the Township Attorney is exploring ways to enforce better compliance from the banks.

Tony Hajjar, Zoning Officer, advised that 8 Cherryville Hollow Road had been inspected and reported that there are open permits with the Construction Department which are being held up by the Hunterdon County Health Department.

Mike Rasile, Public Works employee, expressed concern about Resolution #17-249 Approving the Raritan Township Personnel Policies and Procedures Manual in regards to Public Works personnel using tablets to track weather events.

ADJOURNMENT

Mayor Gilbert asked for a motion to adjourn the meeting

Motion by Mangin, seconded by Chen

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 9:21 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk