

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #18-84**

**RESOLUTION RETIRING INTO EXECUTIVE SESSION**

**WHEREAS**, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, the Township is of the opinion that such circumstances presently exist.

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

- 1. The public shall be excluded from discussion of the specified subject matter.
- 2. The general nature of the subject matter to be discussed is as follows:
  - a) Contract Negotiations:
  - b) Personnel: Administrator Evaluation
  - c) Attorney-Client Privilege: Verizon Wireless Application to use Municipal Right-of-Way
  - d) Pending Litigation:

It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.

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

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

\_\_\_\_\_  
Michael Mangin  
Mayor

**CERTIFICATION**

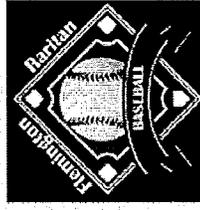
I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on April 17, 2018.

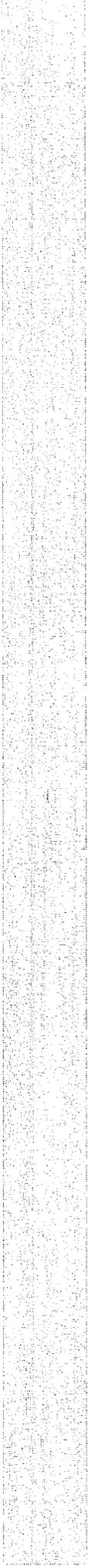
\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

# RARITAN TOWNSHIP *New Jersey*

## Raritan Township Ad Hoc Sports Complex Committee Presentation

April 17, 2018





# Agenda

- Who are we?
- Process
- Core Principles
- Review Concept Plan
- Next Steps

# Who are we?

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

# Process

- Began meeting in early 2017 as an Ad hoc committee commissioned by the Raritan Township Committee to study the need for active recreation facilities in our community and look at ways to serve youth athletes in the Township vis à vis athletic fields
- Each organization developed a “wish list” containing the types and number of amenities that would be necessary to support their usage
- Consolidated lists and shared with Hunterdon County Planner
- Began by looking at currently owned Township and County properties that could potentially support this type of a Complex
- Settled on County property on Clover Hill Road adjacent to the current Township-owned Clover Hill Park Soccer Fields
  - good size (115 acres)
  - synergies from locating next to existing athletic fields
  - already County-owned land with possibility of County operation

# Core Principles

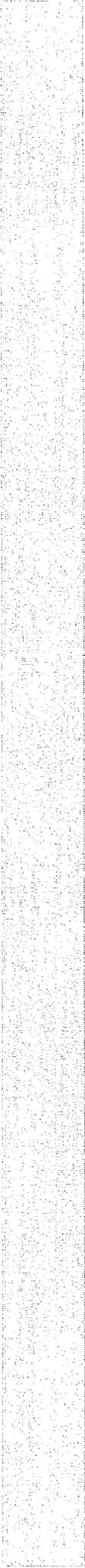
- Inclusive process
- Any solution should result in a net increase in number of fields for all organizations
- Multi-use/multi-purpose athletic fields to maximize usage
- Artificial turf to mitigate against weather-related cancellations
- Lights to provide increased flexibility in scheduling practices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

# Concept Plan

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High-level plan put together to show the potential of this piece of property:

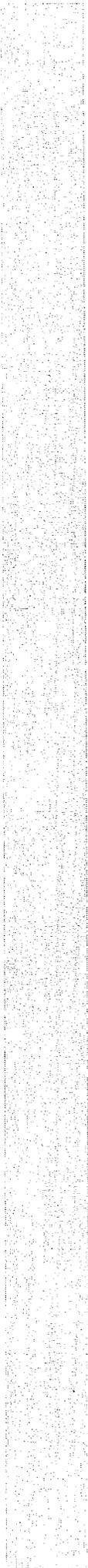
- Multi-sport athletic fields - Soccer, Lacrosse, Baseball, Softball, HOPS, Football
- Basketball Courts
- Tennis Courts
- Restrooms
- Concession Stands
- Walking trails
- Playgrounds
- Parking



# **Concept Plan**

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## **Next Steps**

- Obtain endorsement from Raritan Township Committee
- Submit to Hunterdon County Open Space Advisory Board for consideration



**THANK YOU!!**

List of Bills - (All Funds)

Vendor	Description	Current Fund	Payment	Check Total
4624 - A&K EQUIPMENT CO INC	PO 6184 Trk 17 Plow headlight kit	PO 6184	241.92	
	PO 6185 Plow lights for 22	PO 6185	223.92	465.84
7 - AARON & COMPANY	PO 6075 Sign Shop Supplies	PO 6075	100.58	100.58
3124 - ADR TOWING	PO 6153 Towing	PO 6153	65.00	
	PO 6187 Tow Serv 18,4,	PO 6187	600.00	
	PO 6250 Recovery Service trk 13 from ditch	PO 6250	750.00	1,415.00
3834 - ARROW ELEVATOR INC	PO 6256 April Maintenance	PO 6256	185.00	185.00
1232 - AT&T	PO 6260 MARCH 2018	PO 6260	678.15	678.15
4299 - BEACON GRAPHICS	PO 6147 Sign Shop Supplies	PO 6147	96.84	96.84
2195 - BROWN TRUCK GROUP	PO 6111 trk12 heater repair	PO 6111	166.09	166.09
728 - CARTRIDGE WORLD	PO 6132 TONER	PO 6132	318.94	318.94
895 - CENTURYLINK	PO 6259 MARCH 2018	PO 6259	629.43	629.43
1752 - CENTURYLINK-PAYPHONES	PO 6088 B-2018 PAYPHONE	PO 6088	50.00	50.00
4396 - CHAMPION TIRE	PO 6204 71 Tractor tire repair	PO 6204	98.00	98.00
4622 - CHOICE DISTRIBUTION, INC	PO 6208 Bolts and supplies	PO 6208	653.78	653.78
799 - CINTAS CORP	PO 6213 Medical Supplies	PO 6213	205.99	205.99
1710 - CINTAS CORP	PO 6136 Janitorial Supplies	PO 6136	244.55	244.55
	PO 6211 Janitorial Supplies	PO 6211	253.55	498.10
303 - COOPER ELECTRIC	PO 6220 Batteries	PO 6220	75.00	75.00
4217 - COUNTY OF HUNTERDON	PO 6159 Business Cards	PO 6159	40.00	40.00
1048 - DEMPSEY UNIFORM & LINEN SUPPLY	PO 6134 March	PO 6134	106.24	106.24
	PO 6210 March	PO 6210	106.24	212.48
4757 - DENNIS SCHOEB	PO 6255 Mailbox Reimbursement	PO 6255	100.00	100.00
3833 - DIFRANCESCO, BATEMAN, COLEY ETC	PO 5630 B-2018 LEGAL SERVICES	PO 5630	14,605.40	14,605.40
236 - DITSCHMAN/FLEMINGTON FORD	PO 6121 Police 21-23 brakes,21-19 brakes	PO 6121	582.47	582.47
	PO 6209 21-22,headlight & radiator,52 OEM K	PO 6209	817.50	1,399.97
2347 - DON LONGO INC	PO 6125 Tire Balancer Calibration	PO 6125	112.50	112.50
4633 - FAIRFIELD MAINT	PO 6112 Fuel & Gas pump parts	PO 6112	117.87	117.87
285 - FEDEX	PO 6194 Overnight Letter	PO 6194	42.31	42.31
873 - FLEMINGTON CHEVROLET	PO 6202 #41 Blazer,21-17 Police,21-16 Polic	PO 6202	650.95	650.95
301 - FLEMINGTON CHRYSLER DODGE	PO 6201 21-24 Charger Police Brakes	PO 6201	661.70	661.70
307 - FLEMINGTON FLORAL CO	PO 6161 Funeral Basket - Brown	PO 6161	109.99	109.99
4260 - FLEMINGTON SOUTH ESTATES	PO 6223 MSA - 2017	PO 6223	893.57	893.57
329 - GANN LAW BOOKS	PO 5714 Code Book	PO 5714	135.00	135.00
4563 - GREATAMERICA FINANCIAL SRVC	PO 5914 B-2018 COPIER RENTALS	PO 5914	1,610.92	1,610.92
2775 - H.J.OPDYKE LUMBER CO	PO 6118 Trailer Floor Repair	PO 6118	147.54	147.54
2	PO 6247 Shed Keys	PO 6247	15.30	15.30
394 - HUNTERDON LOCK & SAFE INC	PO 6152 Keys, OEM Vehicles	PO 6152	21.86	21.86
430 - INTERSTATE BATTERY SYSTEM	PO 6117 Police 21-17	PO 6117	233.90	233.90
	PO 6197 trk 26 and 21 batteries	PO 6197	341.85	575.75
4578 - ISABELLA GRANADOS	PO 6143 Mailbox Reimbursement	PO 6143	7.00	7.00

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
476 - JACQUELINE KLAPP	PO 6234 JANUARY - MARCH 2018	1,300.00	1,300.00
451 - JCP&L	PO 6261 FEBRUARY 2018	5,927.87	5,927.87
4180 - JEN ELECTRIC	PO 6218 Barley Sheaf/Voorhees Corner Traffic	455.50	455.50
2241 - JESCO INC	PO 6113 John Deere Keys	38.80	38.80
4322 - LINK HIGH TECH INC	PO 6171 Tech Support	240.00	240.00
	PO 6172 Tech Support	288.00	288.00
	PO 6173 Tech Support	392.00	392.00
	PO 6174 Tech Support	116.00	116.00
	PO 6189 Tech Support	455.00	455.00
	PO 6190 Tech Support	1,188.00	1,188.00
	PO 6191 Tech Support On Site	505.00	505.00
4322 - LINK HIGH TECH INC	PO 6192 Tech Support	225.00	225.00
	PO 6193 Tech Support	50.00	50.00
4654 - LISA FANIA	PO 6232 Reimbursement for Notary Public Ren	30.00	30.00
589 - M & W COMMUNICATIONS	PO 6186 Radio Service & Repair	539.35	539.35
	PO 6203 Radio Repair	210.00	210.00
256 - MACMILLAN OIL CO., INC.	PO 6216 New Vehicle Equipment	184.20	184.20
	PO 5775 Service Oils	1,194.30	1,194.30
4649 - MORTON SALT INC	PO 6091 Service Oils	792.00	792.00
4061 - NAPA	PO 6124 350 tons roads salt	16,661.89	16,661.89
1395 - NAPCO	PO 6207 Service & repair parts	593.12	593.12
3121 - NATIONAL PARTS SUPPLY	PO 5752 Service & Repair Parts	588.61	588.61
3121 - NATIONAL PARTS SUPPLY	PO 6123 Blanket - Lg. Format Printer, Lease	1,234.25	1,234.25
3881 - NEW JERSEY AMERICAN WATER	PO 6206 #41 OEM Blazer, # 31 front suspensi	1,793.83	1,793.83
641 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 5820 Service & Repair Parts	170.96	170.96
4740 - OCCUPATIONAL HEALTH SERVICES	PO 6103 B-2018 FIRE HYDRANT	24,534.56	24,534.56
393 - ONE CALL CONCEPTS	PO 6140 Employment Ad	115.00	115.00
4484 - PETERSON SERVICE CO, INC	PO 6245 Drug Screening	114.00	114.00
2055 - POWERCO INC	PO 6237 March	322.50	322.50
4629 - POWERWORX ELECTRICAL SERVICES LLC	PO 6219 Admin heat & boiler PD-Chiller	2,166.00	2,166.00
4049 - PRAXAIR	PO 6115 #63 Backhoe hydraulic oil	198.84	198.84
1996 - R & H TRUCK PARTS & SERVICE	PO 6188 PD wall mounted tv	132.00	132.00
	PO 6115 Welding Supplies	79.68	79.68
	PO 6188 Welding Safety Equipment for Steven	119.60	119.60
	PO 6116 trk 7 & 2 Dryer & Parking brake Par	173.57	173.57
	PO 6200 Trk 4 air dryer, Trk 27 front sprin	1,940.57	1,940.57
	PO 6205 trk 27 Power Steering Pump	293.29	293.29
673 - RACHLES/MICHELE'S OIL CO	PO 6133 Gasoline	3,551.29	3,551.29
	PO 6217 Gasoline	12,249.32	12,249.32
4227 - READY REFRESH	PO 5780 B-2018 WATER COOLER	40.85	40.85
1939 - ROBERT H HOOVER & SONS	PO 5949 Truck repair Parts	1,095.75	1,095.75
	PO 6120 trk 25 Steps, trk 4 Wheel seals	181.51	181.51
		2,407.43	2,407.43
		15,800.61	15,800.61
		40.85	40.85
		1,986.30	1,986.30
		16,661.89	16,661.89
		933.55	933.55
		1,181.73	1,181.73
		1,234.25	1,234.25
		1,793.83	1,793.83
		170.96	170.96
		24,534.56	24,534.56
		115.00	115.00
		114.00	114.00
		322.50	322.50
		2,166.00	2,166.00
		198.84	198.84
		132.00	132.00
		79.68	79.68
		119.60	119.60
		173.57	173.57
		1,940.57	1,940.57
		293.29	293.29
		3,551.29	3,551.29
		12,249.32	12,249.32
		40.85	40.85
		1,095.75	1,095.75
		181.51	181.51

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
4753 - ROGER AHRENS	PO 6199 trk 4 air lines, DEF Fluid	324.44	1,601.70
911 - RUTGERS	PO 6166 Parking Reimbursement	14.00	14.00
3556 - S.A. COMUNALE CO	PO 6242 Please do not mail PO	1,030.00	1,030.00
	PO 5092 Replace and Repack Valves	2,783.00	
	PO 6028 Service Call	132.00	
	PO 6069 Correcr issue with tamper	648.00	3,563.00
3538 - SERVICE TIRE TRUCK CENTERS	PO 6114 Hot Box Heavy Duty Tires	580.00	580.00
823 - SOMERSET SPRING & ALIGNMENT	PO 6182 trk 12 Rear Springs	2,116.00	2,116.00
4443 - T & T TREE SERVICE INC	PO 6175 Tree removal Old Hill Rd	1,393.00	1,393.00
617 - THE HARTFORD	PO 6225 1ST QRT 2018 - TEMP DISABILITY	1,475.04	1,475.04
879 - TRAP ROCK INDUSTRIES	PO 6045 Various Road Pothole Patching	496.38	
	PO 6138 Various Pot Hole Patching	819.45	1,315.83
3273 - TREASURER, STATE OF NJ	PO 6275 1ST QRT 2018 - CONST CODE	22,699.00	22,699.00
3187 - TRIUS INC	PO 6198 181 Hinke plow angle cylinders	1,943.02	1,943.02
2142 - VERIZON WIRELESS	PO 5898 B-CARS (OLD) - #682562144	160.04	160.04
4256 - VILLAGE COMMONS	PO 6228 2017 - MSA	328.52	328.52
918 - VITAL COMMUNICATIONS INC	PO 5655 B-2018 TAX ASSESSOR & COLLECTOR SER	824.00	824.00
4212 - WASTE MANAGEMENT OF NJ	PO 6137 February	1,740.00	1,740.00
4090 - WB MASON	PO 5014 Office Supplies	508.03	508.03
4090 - WB MASON	PO 6053 Office Supplies	284.46	
	PO 6148 Office Supplies	421.83	
	PO 6149 Office Supplies	135.05	
	PO 6195 Office Supplies	49.32	890.66
4452 - WILLIAM PANDOS	PO 6295 REIMBURSEMENT FOR CONFERENCE	505.00	505.00
486 - WOODRUFF ENERGY	PO 5915 B-2018 NATURAL GAS	3,642.90	3,642.90
	<b>State &amp; Federal Grants</b>		
3258 - DEER CARCASS REMOVAL SERV	PO 6215 February 2018	245.00	245.00
3511 - FASTENAL CO	PO 6135 12" SAE Wheel	133.97	133.97
4751 - GARBO GRABEN LLC	PO 6150 Trash Bagger	269.10	269.10
11 - GRAINGER	PO 6151 First aid kits for roadside cleanup	98.32	98.32
1891 - OLD DOMINION BRUSH CO	PO 6129 Leaf Machine Parts	5,178.00	5,178.00
4090 - WB MASON	PO 6025 Scissors and invoice book	24.23	24.23
	<b>Trust</b>		
1352 - ANIMAL CONTROL SOLUTIONS	PO 5664 B-2018 ANIMAL CONTROL SERVICES	1,750.00	1,750.00
	PO 6090 B-2018 ANIMAL KENNELING	345.00	
4079 - CENTRAL JERSEY HSG RESOURCE	PO 5637 B-2018 AFFORDABLE HOUSING SERVICES	3,755.50	2,095.00
2771 - FLEMINGTON SOUTH GARDENS	PO 5632 2018 - AFFORDABLE HOUSING SERVICES	5,662.72	3,755.50
1014 - NJ STATE DEPT OF HEALTH	PO 6240 Dog Lic. Fees	3.60	5,662.72
	<b>General Capital</b>		
			3.60

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
236 - DITSCHMAN/FLEMINGTON FORD	PO 5567 Ford F250 Fire Command Vehicle	32,805.25	32,805.25
802 - EAST COAST EMERGENCY LIGHTING	PO 5185 EQUIPMENT & INSTALL FOR 2018 CHEVY	12,422.67	12,422.67
930 - EQUITY ENVIRONMENTAL ENG,LLC	PO 3664 Police Remediation	72.50	
	PO 4978 Police Remediation	237.50	310.00
4629 - POWERWORX ELECTRICAL SERVICES LLC	PO 6231 Police Remediation	3,036.00	3,036.00
	TOTAL		220,670.70

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-101-01-000-001	CASH TD BANK				
01-104-03-000-000	DUE TO/FROM ST OF NJ			0.00	154,631.34
01-201-20-100-200	TOWNSHIP ADMINISTRATOR O/E	109.99			
01-201-20-101-200	POSTAGE & PHOTOCOPYING	2,887.48			
01-201-20-120-200	TOWNSHIP CLERK - OE	30.00			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	505.00			
01-201-20-140-200	DATA PROCESSING SERVICES OE	3,247.00			
01-201-20-150-200	TAX ASSESSOR OE	89.32			
01-201-20-155-200	LEGAL SERVICES OE	14,605.40			
01-201-20-165-200	ENGINEERING SERVICES	419.46			
01-201-21-180-200	PLANNING BOARD OE	1,530.00			
01-201-21-185-200	ZONING BOARD OE	814.00			
01-201-22-195-200	CONSTRUCTION OFFICIAL OE	343.95			
01-201-23-220-200	GROUP INSURANCE	1,475.04			
01-201-25-240-200	POLICE OE	606.03			
01-201-25-252-200	EMERGENCY MANAGEMENT OE	86.86			
01-201-25-266-200	FIRE HYDRANTS	24,534.56			
01-201-25-267-200	FIRE OFFICIAL OE	135.05			
01-201-26-290-200	ROAD REPAIR & MAINTENANCE OE	3,228.75			
01-201-26-295-200	SNOW REMOVAL OE	16,768.89			
01-201-26-306-200	P.E.O.S.H.A. ROADS OE	319.99			
01-201-26-310-200	PUBLIC PROPERTY (B&G) OE	4,063.88			
01-201-26-315-200	VEHICLE MAINTENANCE OE	21,367.23			
01-201-26-316-200	RECYCLING TAX	65.25			
01-201-27-330-200	BOARD OF HEALTH OE	89.99			
01-201-31-440-200	UTILITIES	27,385.35			
01-201-32-465-200	SOLID WASTE	1,674.75			
01-203-20-100-200	(2017) TOWNSHIP ADMINISTRATOR O/E				508.03

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-203-20-140-200	(2017) DATA PROCESSING SERVICES OE		1,036.00		
01-203-26-308-200	(2017) MUNICIPAL SERVICES ACT		1,222.09		
01-203-26-310-200	(2017) PUBLIC PROPERTY (B&G) OE		2,783.00		
<b>TOTALS FOR</b>	<b>Current Fund</b>	<b>126,383.22</b>	<b>5,549.12</b>	<b>22,699.00</b>	<b>154,631.34</b>
02-101-01-000-01	Grant Checking		0.00		5,948.62
02-213-41-727-001-000	Clean Communities Act 2017			5,948.62	
<b>TOTALS FOR</b>	<b>State &amp; Federal Grants</b>	<b>0.00</b>	<b>0.00</b>	<b>5,948.62</b>	<b>5,948.62</b>
03-101-01-000-001	Checking TD Bank			0.00	11,516.82
03-286-10-110-004-000	Reserve for Animal			2,095.00	
03-286-10-110-006-000	COAH Trust			9,418.22	
03-286-55-102	Due To State of New Jersey			3.60	
<b>TOTALS FOR</b>	<b>Trust</b>	<b>0.00</b>	<b>0.00</b>	<b>11,516.82</b>	<b>11,516.82</b>
04-101-01-000-001	Checking TD Bank			0.00	48,573.92
04-215-56-298-000	ORD 16-10 VARIOUS CAPITAL EQUIP & IMPROV			3,346.00	
04-215-56-301-000	Capital Ordinance #17-28			12,422.67	
04-215-56-302-000	Capital Ordinance # 17-39			32,805.25	
<b>TOTALS FOR</b>	<b>General Capital</b>	<b>0.00</b>	<b>0.00</b>	<b>48,573.92</b>	<b>48,573.92</b>

Total to be paid from Fund 01 Current Fund 154,631.34  
 Total to be paid from Fund 02 State & Federal Grants 5,948.62  
 Total to be paid from Fund 03 Trust 11,516.82  
 Total to be paid from Fund 04 General Capital 48,573.92  
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 220,670.70

Checks Previously Disbursed

Summary By Account

ACCOUNT DESCRIPTION CURRENT YR APPROP. YEAR NON-BUDGETARY CREDIT

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
33018	POLICE & FIREMEN'S RETIRE	PO# 6094	2018 EMPLOYER APPROPRIATION	1,019,521.00	3/30/2018
33018	PUBLIC EMPLOYEES RETIREME	PO# 6093	2018 EMPLOYER APPROPRIATION	510,467.90	3/30/2018
79	TRADE MONEY, LLC	PO# 6248	Premium	1,100.00	4/11/2018
41318	RARITAN TWP PAYROLL AGENCY	PO# 6296	PAYROLL 04/13/18	329,619.17	4/11/2018
41318	RARITAN TWP PAYROLL AGENCY	PO# 6296	PAYROLL 04/13/18	6,011.18	4/11/2018
33018	TD BANK, N.A.	PO# 6293	DEPOSIT STAMP FOR PW	45.74	3/30/2018
31457	KEVIN DONOVAN, CUST OF PETTY CASH	PO# 6276	PETTY CASH FOR 2018	100.00	4/10/2018
40618	MERITAIN HEALTH	PO# 6058	B-2018 HEALTH INSURANCE	42,917.26	4/06/2018
40318	MERITAIN HEALTH	PO# 6145	B-2018 HEALTH INS CLAIMS	42,433.12	4/03/2018
78	TRADE MONEY, LLC	PO# 6244	Premium	200.00	4/10/2018
40218	MICROSOFT	PO# 5685	B-2018 MICROSOFT SERVICES	270.10	4/02/2018
40318	PROACT, INC	PO# 6057	B-RX FOR 2018	25,887.29	4/03/2018
31456	LINQUE FLEMINGTON II & III LLC	PO# 6109	1ST QRT 2018 REFUND	153.13	4/04/2018
31455	TCTA MEMBER SERVICES	PO# 6142	Membership Dues	200.00	4/04/2018
31454	TCTA MEMBER SERVICES	PO# 6142	Membership Dues	-200.00	4/04/2018 *VOIDED
31453	THEODORE C LANDERS SR	PO# 6105	100% DISABLED VETERAN REFUND	21,659.38	4/02/2018
32918	RARITAN TWP PAYROLL AGENCY	PO# 6221	PAYROLL - 01/19/18 - 03/02/18	90.96	3/29/2018
32718	RARITAN TWP PAYROLL AGENCY	PO# 6221	PAYROLL - 01/19/18 - 03/02/18	393.31	3/27/2018
32718	RARITAN TWSP MEDICAL CLAIMS TRUST	PO# 5753	MEDICAL BILLS FOR 2018	150,000.00	3/27/2018
				-----	
				2,151,069.54	
				-200.00	*VOIDED

Total paid from Fund 01 Current Fund 2,143,758.36  
 Total paid from Fund 03 Trust 7,311.18  
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 2,151,069.54

Total for this Bills List: 2,371,740.24

## Monthly Summary

4-Apr-2018

## March

Planning Board Number	Applicant	Rate	Hours	Extension
<b>PLAN REVIEW (Planning Escrow Acct.)</b>				
S-1431-P	Fallone Group	\$175.32	3	\$525.96
SP-666-M	Flemington Industrial Park	\$175.32	0.25	\$43.83
BOA-03-2018	Flemington Moose Lodge	\$175.32	1.75	\$306.81
8-2013	New Cingular / AT&T	\$175.32	0.75	\$131.49
7/2017	New Cingular Wireless (AT&T)	\$175.32	2.5	\$438.30
BOA-04-2018	New Cingular Wireless (AT&T)	\$175.32	1.5	\$262.98
BOA-07-2018	Raritan Partners, LLC	\$87.94	4	\$351.76
BOA-07-2018	Raritan Partners, LLC	\$175.32	1	\$175.32
BOA-07-2018	Raritan Partners, LLC	\$175.32	0.75	\$131.49
BOA-07-2018	Raritan Partners, LLC	\$175.32	1	\$175.32
8-2016	Raritan Solar	\$58.06	1	\$58.06
SP-668-PF	Raritan Town Square	\$87.94	0.5	\$43.97
SP-668-PF	Raritan Town Square	\$87.94	5	\$439.70
SP-668-PF	Raritan Town Square	\$175.32	1.5	\$262.98
BOA-02-2018	Roman Shor	\$87.94	1	\$87.94
BOA-02-2018	Roman Shor	\$175.32	2.5	\$438.30
BOA-02-2018	Roman Shor	\$175.32	3	\$525.96
BOA-06-2018	Sprint Spectrum Realty Co	\$175.32	3	\$525.96
BOA 13-2017	Stothoff	\$175.32	1	\$175.32
BOA 13-2017	Stothoff	\$175.32	3	\$525.96
BOA 13-2017	Stothoff	\$175.32	1.5	\$262.98
BOA 13-2017	Stothoff	\$175.32	2	\$350.64
BOA-09-2018	The Fudge Shoppe	\$175.32	1	\$175.32
				<b>\$6,416.35</b>

**CONSTRUCTION MANAGEMENT (Inspection Escrow Acct.)**

SP-648-PF	22 Royal LLC	\$87.94	0.5	\$43.97
SP-641-PF	Creekside at Hunterdon	\$58.06	4	\$232.24
SP-641-PF	Creekside at Hunterdon	\$58.06	1.5	\$87.09
SP-641-PF	Creekside at Hunterdon	\$58.06	2	\$116.12
SP-641-PF	Creekside at Hunterdon	\$58.06	0.5	\$29.03
SP-641-PF	Creekside at Hunterdon	\$58.06	1	\$58.06
SP-641-PF	Creekside at Hunterdon	\$58.06	0.5	\$29.03
SP-641-PF	Creekside at Hunterdon	\$58.06	1.5	\$87.09
SP-641-PF	Creekside at Hunterdon	\$58.06	0.5	\$29.03
SP-641-PF	Creekside at Hunterdon	\$58.06	2	\$116.12
SP-641-PF	Creekside at Hunterdon	\$58.06	1.5	\$87.09
SP-641-PF	Creekside at Hunterdon	\$58.06	1	\$58.06
SP-641-PF	Creekside at Hunterdon	\$58.06	4	\$232.24
S-1431-P	Fallone Group	\$87.94	1	\$87.94
SP-666-M	Flemington Industrial Park	\$87.94	0.5	\$43.97
SP-545-P/F	Flemington Industrial Park	\$175.32	1	\$175.32
SP-643-PF	Johanna Foods	\$58.06	2	\$116.12
SP-643-PF	Johanna Foods	\$58.06	1	\$58.06
SP-643-PF	Johanna Foods	\$58.06	1.5	\$87.09
SP-643-PF	Johanna Foods	\$58.06	0.5	\$29.03
SP-643-PF	Johanna Foods	\$58.06	1	\$58.06
SP-643-PF	Johanna Foods	\$58.06	0.5	\$29.03
8-2013	New Cingular / AT&T	\$175.32	2.5	\$438.30
8-2013	New Cingular / AT&T	\$175.32	1.25	\$219.15
8-2013	New Cingular / AT&T	\$175.32	1.5	\$262.98
7/2017	New Cingular Wireless (AT&T)	\$175.32	3	\$525.96
S-1409-PF	North Bridge Development	\$175.32	0.5	\$87.66
SP-604-P	Pol-Y-Patel Hotel and Resturant	\$175.32	0.25	\$43.83

Planning Board Number	Applicant	Rate	Hours	Extension
SP-641-P/F	Pulte Homes	\$87.94	0.5	\$43.97
SP-641-P/F	Pulte Homes	\$87.94	3	\$263.82
SP-641-P/F	Pulte Homes	\$175.32	2	\$350.64
SP-641-P/F	Pulte Homes	\$175.32	1.5	\$262.98
SP-641-P/F	Pulte Homes	\$175.32	2.5	\$438.30
SP-641-P/F	Pulte Homes	\$175.32	1.75	\$306.81
SP-641-P/F	Pulte Homes	\$175.32	2	\$350.64
SP-641-P/F	Pulte Homes	\$175.32	2.75	\$482.13
SP-641-P/F	Pulte Homes	\$175.32	0.75	\$131.49
SP-641-P/F	Pulte Homes	\$175.32	3.5	\$613.62
SP-641-P/F	Pulte Homes	\$175.32	2	\$350.64
SP-641-P/F	Pulte Homes	\$175.32	0.5	\$87.66
SP-641-P/F	Pulte Homes	\$175.32	1.5	\$262.98
8-2016	Raritan Solar	\$87.94	1	\$87.94
8-2016	Raritan Solar	\$87.94	1	\$87.94
8-2016	Raritan Solar	\$87.94	1	\$87.94
8-2016	Raritan Solar	\$87.94	1	\$87.94
8-2016	Raritan Solar	\$175.32	2	\$350.64
8-2016	Raritan Solar	\$175.32	3.5	\$613.62
8-2016	Raritan Solar	\$175.32	5.25	\$920.43
8-2016	Raritan Solar	\$175.32	2	\$350.64
8-2016	Raritan Solar	\$175.32	2	\$350.64
8-2016	Raritan Solar	\$175.32	1	\$175.32
8-2016	Raritan Solar	\$175.32	2.25	\$394.47
8-2016	Raritan Solar	\$175.32	4	\$701.28
8-2016	Raritan Solar	\$175.32	2.5	\$438.30
8-2016	Raritan Solar	\$175.32	4	\$701.28
8-2016	Raritan Solar	\$175.32	4.5	\$788.94
8-2016	Raritan Solar	\$175.32	2.5	\$438.30
8-2016	Raritan Solar	\$175.32	0.75	\$131.49
8-2016	Raritan Solar	\$175.32	3	\$525.96
8-2016	Raritan Solar	\$175.32	1.25	\$219.15
SP-649-PF	Sanatana Dharma	\$87.94	4	\$351.76
SP-649-PF	Sanatana Dharma	\$175.32	1.5	\$262.98
SP-649-PF	Sanatana Dharma	\$175.32	0.5	\$87.66
SP-649-PF	Sanatana Dharma	\$175.32	0.5	\$87.66
BOA-19-2017	Stavola Flemington Asphalt LLC	\$87.94	1	\$87.94
BOA-19-2017	Stavola Flemington Asphalt LLC	\$87.94	1	\$87.94
BOA-19-2017	Stavola Flemington Asphalt LLC	\$175.32	1.5	\$262.98
SP-654-PF	Villages	\$58.06	0.5	\$29.03
SP-654-PF	Villages	\$87.94	0.5	\$43.97
SP-654-PF	Villages	\$175.32	1.5	\$262.98
SP-654-PF	Villages	\$175.32	0.5	\$87.66
				<b>\$16,518.13</b>
				<b>\$22,934.48</b>

Grand Totals: 94 Inspections 162.75 Hours

Antoine Hajjar  
 Antoine Hajjar, NJPE  
 Township Engineer

4/5/2018  
 Date

Monthly Summary:

**2018 Monthly Summary**

January	\$ 28,293.97
February	\$ 30,079.39
March	\$ 22,934.48
April	
May	
June	

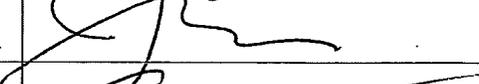
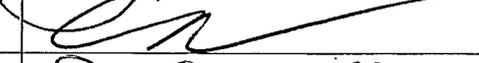
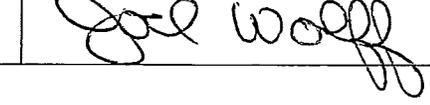
July	
August	
September	
October	
November	
December	
Total:	\$ 81,307.84

**Raritan Township Fire Company**  
303 South Main Street, Flemington, NJ 08822  
Established 1958

**LOSAP Report Year 2017**

Last Name	First Name	Meets Requirements	LOSAP	Last Name	First Name	Meets Requirements	LOSAP
Ahrens	Robert	YES	\$ 1,250.00	Latanzio	Alan	NO	\$ -
Bast	Matthew	YES	\$ 1,250.00	Lostumbo	Joey	NO	\$ -
Benati	Barbara	YES	\$ 1,250.00	Lostumbo	Joeseeph	YES	\$ 1,250.00
Benz	Geoffery	NO	\$ -	Mangin	Mike	YES	\$ 1,250.00
Blasberg	Dana	YES	\$ 1,250.00	McGreewy	Tom	NO	\$ -
Blasberg	Zachary	NO	\$ -	Miller	Chris	NO	\$ -
Boxwell	Blake	NO	\$ -	Morris-Wilt	Amanda	YES	\$ 1,250.00
Brickey	Derek	YES	\$ 1,250.00	Morris	Kyle	YES	\$ 1,250.00
Carman	Mike	YES	\$ 1,250.00	Murguly	Sandor	NO	\$ -
Carnovale	Paul	NO	\$ -	Murphy	David	NO	\$ -
Compton	Charlie	YES	\$ 1,250.00	Natale	Eddie	YES	\$ 1,250.00
Compton	Roy	NO	\$ -	Paradiso	Keith	YES	\$ 1,250.00
Critelli	Erin	YES	\$ 1,250.00	Petrella, Jr.	Joe	NO	\$ -
DalPezzo	Tony	NO	\$ -	Petrella, Sr.	Joeseeph	YES	\$ 1,250.00
Day	Doug	YES	\$ 1,250.00	Petrowsky	Robert	YES	\$ 1,250.00
Decator	Christopher	NO	\$ -	Pisowicz	Adrian	YES	\$ 1,250.00
Dorflinger	Justin	NO	\$ -	Reasoner	Jim	YES	\$ 1,250.00
Fatooh	Sean	YES	\$ 1,250.00	Rockafellow	William	YES	\$ 1,250.00
Figler	Eric	NO	\$ -	Saporito	Joseph	YES	\$ 1,250.00
Funk	Don	NO	\$ -	Shanahan	Tim	NO	\$ -
Garrabrant	Corey	NO	\$ -	Sorrentino	Austin	NO	\$ -
Green	Ian	YES	\$ 1,250.00	Trimmer	John	NO	\$ -
Hacker	Jeremy	NO	\$ -	Van Holten	Bob	NO	\$ -
Hanley	Robert	NO	\$ -	Varin	Kyle	YES	\$ 1,250.00
Haracarik	Mike	NO	\$ -	Vecchio	Mike	NO	\$ -
Haug	Ashley	YES	\$ 1,250.00	Wetter	Steven	YES	\$ 1,250.00
Hynes	Risa	YES	\$ 1,250.00	Wilt	Christopher	YES	\$ 1,250.00
Janho	Josh	YES	\$ 1,250.00	Wolff	Joel	YES	\$ 1,250.00
Kadakia	Dhwanil	NO	\$ -	Zacek	Walter	YES	\$ 1,250.00
Kraus	Jim	YES	\$ 1,250.00				

**2017 LOSAP Total: \$40,000**

2017 LOSAP Administrator Robert Ahrens	
2017 President Jim Reasoner	
2017 Chief Doug Day	
2017 Recording Secretary Joel Wolff	

10c.



# RARITAN TOWNSHIP MEMORANDUM

**Date:** April 3, 2018

**To:** Mayor and Township Committee  
Don Hutchins, Township Administrator  
Bill Pandos, Certified financial officer  
Lisa Fania, Township Clerk

**From:** Brion Fleming, P.W. Superintendent

**Re:** Snow Removal Costs  
Storm on: 4-2-18  
Official Accumulation: 4-6"  
Duration: 7 Hours  
Services: Salt and Plow

OT Hours	32	@ \$51.30	\$ 1,641.60
Salaried Employees	4	@ 66.00/hr	\$ 264.00

**Total Personnel Cost= \$ 1,905.60**

Salt	150 Tons	@51.31/ton	\$ 7,696.50
Calcium Chloride	495 Gals	@0.994/gal	\$ 492.03
Sidewalk Salt (50lb bag)	2 Bags	@12.00/bag	\$ 24.00

**Total Material Cost= \$ 8,212.53**

**Total Other Expenses(Meals)= \$ 0.00**

**TOTAL COST OF SNOW REMOVAL = \$ 10,118.13**

Notes/Comments:

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**Animal Control  
Monthly Report: March 2018  
Raritan Township**

Total Calls: 19

Bite: 4

Enforcement: 1

Other: 6

Stray: 7

Stray Animals Impounded: 5

Wildlife: 1

Office of the Tax Collector  
Township of Raritan  
One Municipal Drive  
Flemington, NJ 08822

April 10, 2018

To: Mayor and Township Committee

Re: Tax Reports for Month Ending March 2018

During the month of March, we collected a total of \$630,845.89 which includes current tax payments, delinquent tax payments and interest. We continue to receive many phone calls from residents asking for statements of property taxes paid in 2017 in order to complete their 2017 income taxes. We have had a steady stream of seniors coming into our office to get their 2017 Senior Freeze applications filled out. The filing deadline for the Senior Freeze program is October 31<sup>st</sup> 2018 and we anticipate on assisting existing applicants and new applicants in our office until the deadline.

We also received the Homestead Rebate credits for our residents for the 2<sup>nd</sup> quarter. We mailed reduced 2<sup>nd</sup> quarter tax bills to all residents who received the Homestead Benefit. Please be advised that the state has cut funding for this program. This year we will be receiving \$378,243.12 from the state on behalf of the Homestead Benefit Program versus the \$721,017.46 received last year. Please note; there are nearly the same number of residents on the program this year as there were last year. We received several phone calls and visits from residents with questions regarding the reduction. We have been advising them to contact the state directly to find out specific details regarding their reduction since each one is different.

Should you have any questions, please do not hesitate to call, email or visit us in the office.



Ann Marie Silvia, CTC  
Assistant to Tax Collector

TO: MAYOR AND TOWNSHIP COMMITTEE

RE: TAX COLLECTOR REVENUES  
MONTH ENDING MARCH 2018

	CURRENT MONTH	YEAR TO DATE
CURRENT YEAR TAXES: 2018	540,826.67	21,937,950.97
LEVY: TOTAL YEAR 2018 - \$49,468,224.90		
PRIOR YEARS TAXES:	82,606.79	216,588.34
PREPAID TAXES: 2019		
PILOT		47,271.77
INTEREST: (INCLUDING YEP)	13,688.60	25,245.62
BOUNCED CHECKS:	(6,311.17)	(20,916.02)
MISC & COS:		
DUPLICATE BILL FEES:	15.00	160.00
RETURNED CHECK FEES:	20.00	60.00
SEARCH FEES:	0.00	20.00
REFUND FROM STATE FOR VETS & SC		
HOMESTEAD REBATE		
<b>TOTAL COLLECTIONS:</b>	<b>630,845.89</b>	<b>22,206,380.68</b>

  
ASSISTANT TO TAX COLLECTOR  
DATE: April 10, 2018

cc: Donald Hutchins, Township Administrator  
William B. Pandos, CMFO  
Danielle Langreder, Assistant Supervisor of Accounts  
Lisa Fania, Township Clerk

March 2018

TAX COLLECTOR'S MONTHLY REPORT

FOR YEAR 2018

	MTD	YTD
BALANCE BEGINNING OF MONTH		21,725,916.22
ADDITIONS TO RECEIVABLE		
CURRENT YEAR BILLING		
ADDED AND OMITTED TAXES		
LEVY ADJUSTMENTS (OVERBILLING)		
SENIOR CITIZEN CHARGE BACKS	492.47	
REFUNDS	7,409.65	
PAYMENT ADJUSTMENT		
BILLING ADJUSTMENT		
BOUNCED CHECKS	6,310.79	
VET DISALLOWED		
REDUCTIONS TO RECEIVABLE		
CASH COLLECTIONS	540,823.91	
JUDGEMENTS (COUNTY)		
VETERANS ALLOWED	500.00	
SENIOR CITIZEN'S ALLOWED	250.00	
100% PROPERTY - EXEMPTION	7,490.49	
TRANSFERRED TO TAX TITLE LIEN		
PAYMENT ADDUSTMENTS	2.76	
BILLING ADJUSTMENTS	8,971.35	
HOMESTEAD REBATE	378,243.12	
BALANCE END OF THE MONTH		20,803,847.50

Levy for 1st Half 2018 = \$49,468,224.90  
Collection Rate for 1st Half of 3/31/18= 57..84%

March 2018

TAX COLLECTOR'S MONTHLY REPORT  
FOR YEAR 2017

	MTD	YTD
BALANCE BEGINNING OF MONTH		383,165.36
ADDITIONS TO RECEIVABLE		
CURRENT YEAR BILLING		
ADDED AND OMITTED TAXES		
LEVY ADJUSTMENTS (OVERBILLING)		
SENIOR CITIZEN CHARGE BACKS	250.00	
REFUNDS		
PAYMENT ADJUSTMENT	2.76	
BILLING ADJUSTMENT		
BOUNCED CHECKS		
VET DISALLOWED		
REDUCTIONS TO RECEIVABLE		
CASH COLLECTIONS	82,609.55	
JUDGEMENTS (COUNTY)		
VETERANS ALLOWED		
SENIOR CITIZEN'S ALLOWED		
100% PROPERTY EXEMPTION		
TRANSFERRED TO TAX TITLE LIEN		
PAYMENT ADDUSTMENTS		
BILLING ADJUSTMENTS		
HOMESTEAD REBATE		
BALANCE END OF THE MONTH		300,808.57

Levy for Total Year 2017 = 99,060,475.47  
Collection Rate for 2017 as of 3/31/18 = 99.69%

March 2018

TAX COLLECTOR'S MONTHLY REPORT

FOR YEAR 2019

	MTD	YTD
BALANCE BEGINNING OF MONTH		0.00
ADDITIONS TO RECEIVABLE		
CURRENT YEAR BILLING		
ADDED AND OMITTED TAXES		
LEVY ADJUSTMENTS (OVERBILLING)		
SENIOR CITIZEN CHARGE BACKS		
REFUNDS		
PAYMENT ADJUSTMENT		
JUDGEMENTS (STATE)		
BOUNCED CHECKS		
VET DISALLOWED		
REDUCTIONS TO RECEIVABLE		
CASH COLLECTIONS		
JUDGEMENTS (STATE)		
VETERANS ALLOWED		
SENIOR CITIZEN'S ALLOWED		
100% PROPERTY EXEMPTION		
TRANSFERRED TO TAX TITLE LIEN		
PAYMENT ADDJUSTMENTS		
BILLING ADJUSTMENTS		
HOMESTEAD REBATE		
BALANCE END OF THE MONTH		0.00

Levy for 1st Half 2019 = N/A

Collection Rate for 2019 as of 3/31/18 = 0%

March 2018

TAX COLLECTOR'S MONTHLY REPORT  
FOR YEAR 2017 YEAR END PENALTY

	MTD	YTD
<b>BALANCE BEGINNING OF MONTH</b>		<b>3,188.25</b>
<b>ADDITIONS TO RECEIVABLE</b>		
CURRENT YEAR BILLING		
ADDED AND OMITTED TAXES		
LEVY ADJUSTMENTS (OVERBILLING)		
SENIOR CITIZEN CHARGE BACKS		
REFUNDS		
PAYMENT ADJUSTMENT		
BILLING ADJUSTMENT		
BOUNCED CHECKS		
VET DISALLOWED		
<b>REDUCTIONS TO RECEIVABLE</b>		
CASH COLLECTIONS	605.12	
JUDGEMENTS (COUNTY)		
VETERANS ALLOWED		
SENIOR CITIZEN'S ALLOWED		
100% PROPERTY - EXEMPTION		
TRANSFERRED TO TAX TITLE LIEN		
PAYMENT ADDUSTMENTS		
BILLING ADJUSTMENTS		
HOMESTEAD REBATE		
<b>BALANCE END OF THE MONTH</b>		<b>2,583.13</b>

Levy for 12/31/17 Year End Penalty \$3,188.25  
Collection Rate of YEP as of 3/31/2018 = 18.98%

March 2018

TAX COLLECTOR'S MONTHLY REPORT

FOR YEAR 2018 PILOT

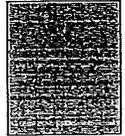
	MTD	YTD
BALANCE BEGINNING OF MONTH		47,271.77
ADDITIONS TO RECEIVABLE		
CURRENT YEAR BILLING		
ADDED AND OMITTED TAXES		
LEVY ADJUSTMENTS (OVERBILLING)		
SENIOR CITIZEN CHARGE BACKS		
REFUNDS		
PAYMENT ADJUSTMENT		
BILLING ADJUSTMENT		
BOUNCED CHECKS		
VET DISALLOWED		
REDUCTIONS TO RECEIVABLE		
CASH COLLECTIONS		
JUDGEMENTS (COUNTY)		
VETERANS ALLOWED		
SENIOR CITIZEN'S ALLOWED		
100% PROPERTY EXEMPTION		
TRANSFERRED TO TAX TITLE LIEN		
PAYMENT ADDUSTMENTS		
BILLING ADJUSTMENTS		
HOMESTEAD REBATE		
BALANCE END OF THE MONTH		47,271.77

Levy for 1st Half 2018 = \$94,543.54

Collection Rate for 2018 as of 3/31/18 = 50%

GRACE MITCHKO, BSN, RN, CHPN

246 OLD YORK ROAD, FLEMINGTON NJ 08822



### Education

**Bachelors of Science in Nursing** ▪ William Paterson University  
**MSN Administration & Informatics** ▪ Excelsior University

### Experience

**Homecare Supervisor** ▪ Robert Wood Johnson Visiting Nurses  
▪ November 2017- Present

**Hospice Case Manager** ▪ Robert Wood Johnson Visiting Nurses  
▪ December 2015- November 2017

**Outpatient Float RN** ▪ Hunterdon Medical Center, Flemington  
▪ October 2014- June 2015

### Skills

- Fluent in conversational Spanish
- Detail oriented, organized, customer service driven, energetic
- Experience with systems including HomeCare HomeBase & Next Gen
- Proficient in OASIS, Hospice documentation, QAPI review, HCHB workflow

### Credentials

- Registered Nurse: NJ & PA
- CHPN, BLS, Emergency EKG and Pharmacology

### Achievements

- Daisy Award recipient (2017)
- Caregiver Hero Award recipient (2017)

### Activities

- Employee Engagement Committee
- Planetree seminars
- CODE training courses

April 12, 2018

Dear Mayor and Committee,

The Barbiche family, who resides at 9 Johnston Drive, Raritan Township is planning a 30th birthday party for their son Shane. This outdoor party will be on Saturday, May 5, 2018. The party includes a DJ and will commence at 2 p.m. We would like permission to have our party run until 11 p.m. that night.

Thank you for your consideration in this matter.

Sincerely,



Mark & Cindy Barbiche  
9 Johnston Drive  
Flemington, NJ 08822  
(Raritan Township)



**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**ORDINANCE #18-13**

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

**WHEREAS**, Sanatana Dharma Foundation, Inc., received preliminary and final site plan approval (the "Approval") from the Raritan Township Planning Board for property identified as Block 40.04, Lot 37 (the "Property") as shown on the Tax Map of the Township of Raritan; and

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

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

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

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

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

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

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

\_\_\_\_\_  
Lisa Fania  
Township Clerk

\_\_\_\_\_  
Michael Mangin  
Mayor

**NOTICE OF PENDING ORDINANCE**

**PLEASE TAKE NOTICE** that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey at a meeting held on April 3, 2018 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of April 17, 2018 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey, at which time all interested persons will be heard. Said ordinance may be reviewed at the Office of the Municipal Clerk during regular business hours.

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**ORDINANCE #18-14**

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

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

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

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

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

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

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

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

\_\_\_\_\_  
Michael Mangin  
Mayor

**NOTICE OF PENDING ORDINANCE**

**PLEASE TAKE NOTICE** that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey at a meeting held on April 3, 2018 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of April 17, 2018 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey, at which time all interested persons will be heard. Said ordinance may be reviewed at the Office of the Municipal Clerk during regular business hours.

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Lisa Fania, RMC  
Township Clerk

**TOWNSHIP OF RARITAN  
HUNTERDON COUNTY, NEW JERSEY**

**ORDINANCE#18-15**

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

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

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

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

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

**Section 2.** If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3.** The Ordinance shall take effect upon its adoption, passage and publication according to law.

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

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

\_\_\_\_\_  
Lisa Fania  
Township Clerk

\_\_\_\_\_  
Michael Mangin  
Mayor

**NOTICE OF PENDING ORDINANCE**

**PLEASE TAKE NOTICE** that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey at a meeting held on April 3, 2018 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of April 17, 2018 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey, at which time all interested persons will be heard. Said ordinance may be reviewed at the Office of the Municipal Clerk during regular business hours.

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

**To:** Mike Mangin  
**Cc:** Public Works Superintendent  
**Subject:** Public works accolades

Mayor Mangin,

I am writing to highlight an excellent experience with Raritan Township's Public Works Department.

During the first nor'easter a very tall tree at the edge of the road in front of my property was partially blown over. Each nor'easter caused it to inch more and more over and the roots began tearing from the ground. The tree was at least a 40degree angle to the ground and when it was going to fall it was going to rip down power lines and fall on the road. I worried it would crush a car or bus, as although quite rural, the road gets commuting traffic.

I tried to submit the tree though the JCP&L website but an auto response came back they could not help with this as it was not actually ON the line.

I called public works one afternoon and the receptionist took a message. Brion Fleming called me back and asked about the tree and said he would have the town bucket truck contractor look into it as well as try to contact his "forestry contact" with JCP&L.

He told me it would probably not be till Monday or Tuesday. Monday morning a town truck came out to look at the tree. Later that afternoon a tree service truck came to look at it. Wednesday the tree was cut by the township contractor. Just in time for the thaw when I was worried the tree would finally rip out from the precarious hold of a few roots.

I have never had such a diligent follow through experience, one where an employee tells me what is going to happen, when, and ensures the job gets done in a logical timeframe despite the non response by the power company both he and I experienced.

This was so refreshing in a societal time of responsibility shifting and non action.

Kind regards,

Kari Allen

Raritan Township resident since 2012

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING  
RARITAN TOWNSHIP MUNICIPAL BUILDING  
TUESDAY, DECEMBER 5, 2017**

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

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

**ALSO PRESENT:** Attorney, Ed Purcell (for Township Attorney, Jeff Lehrer); Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Police Chief, Glenn Tabasko; Special Counsel on Affordable Housing, John Belardo; and Committee Member-elect Gary Hazard.

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**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.

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Township Attorney Lehrer read Resolution #17-296 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 #17-296**

**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: Renewal of Somerset County Joint Insurance Fund Membership
  - b) Personnel: Judge appointment; public defender
  - c) Attorney-Client Privilege: PBA Grievances
  - 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.

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***CLOSED SESSION MINUTES #1 ARE COMPLETED IN A SEPARATE DOCUMENT***

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The regular meeting reconvened at 7:08 p.m.

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**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.

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**AMEND/APPROVE THE AGENDA**

Mayor Gilbert advised of two (2) additional items to the scheduled agenda, a resolution authorizing a budget transfer and a resolution appointing an acting alternate prosecutor.

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

Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

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**PRESENTATION – NATIONAL RADON AWARENESS**

Mayor Gilbert explained that Jan Fisher of Radon Supplies, who is in attendance this evening, had contacted her to determine whether or not the municipality might be interested in participating in a community outreach program to facilitate awareness of the health implications and importance of radon testing through distribution of radon test kits and support of a youth poster contest (ages 9-14).

Mayor Gilbert invited Ms. Fisher to the dais.

Ms. Fisher announced that January is National Radon Action Month and asked that the Committee consider a proclamation declaring such at the January regular meeting. Ms. Fisher explained that radon is a naturally occurring odorless, tasteless gas, born of uranium in rock, soil and water and that Hunterdon

County is located in the highest level, Tier-One zone. Ms. Fisher also asked for Committee support regarding the youth poster contest they were running as well as community outreach through test kit distribution. Mayor Gilbert asked for a voice vote to apply for a grant for radon testing kits and endorse the poster contest. It was the consensus of the Committee to proceed.

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**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.

**Barbara Sachau**, a resident of 2 Glenway Drive, expressed opposition to designating the Dayton Road parcel for affordable housing; and inquired about obtaining a copy of the Open Space plan.

**Adil Seddiq**, a resident of 16 Meadowbrook Road, expressed concern about potential flooding of his property in regards to the possible development of the Dayton Road property.

**Skylar Reed**, a resident of 9 Allens Corner Road, appeared before the Committee to request permission for the Public Works Sign Shop to produce the signs for the Thompson Park Disc Golf Course for which he is designing and will be installing as part of his Eagle Scout project. Public Works Superintendent, Brion Fleming, confirmed that Public Works will make the signs.

All Committee Members concurred to authorize the Public Works Sign Shop to make the proposed signs for the Thompson Park Disc Golf Course to be designed and installed by Skylar Reed.

During Public Comment, Mayor Gilbert advised that copies of the Open Space Plan are available at the Clerk's office.

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At this time, Mayor Gilbert requested that the Committee deviate from the scheduled agenda and consider action on proposed Ordinance #17-41, An Ordinance Amending Title 5 Entitled "Business Licenses and Regulations" by Amending Section 5.040.010 Entitled "Purpose," and by Adding Chapter 5.50 Entitled "Massage, Bodywork or Somatic Therapy Establishments" Thereto, as interested parties were in attendance.

Mayor Gilbert advised that Kelly Daniels, Assistant Prosecutor, Hunterdon County Prosecutor's Office, was present to provide a brief overview as to why the Prosecutor's office is seeking the Township's cooperation regarding the implementation of a massage therapy establishment ordinance. Mayor Gilbert explained that discussion of such initiative began more than a year and a half ago.

Ms. Daniels explained that illegal prostitution shops are becoming more prevalent in municipalities throughout the State and shutting them down and keeping them from reopening is very difficult and expensive to combat in terms of investigation and prosecution, requiring law enforcement to go undercover. Ms. Daniels continued that other municipalities have implemented similar ordinances in an attempt to control this problem and suggested the ordinance idea to Raritan Township as a tool to head off

such activity in advance. Ms. Daniels explained that the Prosecutor's Office does not have the authority to shut down establishments as it is the enforcement arm for criminal acts for which probable cause must be established to cease operations. Ms. Daniels provided a brief explanation of the investigation process.

Raritan Township Police Chief, Glenn Tabasko, commented that the Township has had issues and have used undercover officers. Chief Tabasko spoke of concerns regarding liability to the Township and the officers going undercover and spoke in favor of the ordinance. Detective Sergeant, Thomas Camporeale, concurred with Chief Tabasko regarding undercover activity.

Attorney, Ed Purcell, added that the establishments are licensed by the State and enforcement falls under Civil and not Criminal Law.

Committee Members raised questions and concerns regarding accessibility and availability of client records by the Raritan Township Board of Health regarding privacy of personal medical information; impact of the ordinance on "good" businesses; the seven-year requirement for records retention; lack of attendance by business owners at this meeting; existing case law regarding such ordinances; basis for the proposed draft ordinance; and clarification of the administrative authority of the Raritan Township Board of Health.

During the discussion, Mr. Purcell clarified that massage therapy establishments are regulated by the Department of Consumer Affairs regarding sexual activity and health and safety requirements. He explained that the State does not have the manpower to enforce those standards so this ordinance would authorize enforcement of state-mandated regulations at the local level. Mayor Gilbert commented that the proposed ordinance removes responsibility from the Police Department and authorizes the County Board of Health as the enforcement arm and is modeled after other ordinances. Mayor Gilbert added that during initial discussions, the Township solicited a questionnaire to business owners and received only one response. Mr. Purcell clarified that the Hunterdon County Board of Health is the administrative authority of the Raritan Township Board of Health; that State regulation requires a seven-year records retention period; commented that the purpose of maintaining client records is to assure that employees and the establishment are operating legally; stated that the Health Insurance Portability and Accountability Act (HIPPA) is a separate issue; and advised of state law which allows municipalities to enact regulations like this when there is a public need and local concern. He also advised that he has yet to see a case directly on a massage ordinance.

Mayor Gilbert recommended that the Township Fire Marshal perform non-life hazard inspections (for which a fee is already charged), instead of tasking the County Board of Health with inspecting these establishments, and report findings to the County Board of Health or the Police Department for follow-up and inspection.

Ms. Daniels recapped that there are state laws in place that regulate massage therapy establishments, however, there are not enough available resources to enforce them. She continued that the purpose of the proposed ordinance is to mirror at the municipal level what already exists by state statute in terms of enforcement.

Mayor Gilbert reiterated that the proposed amendments include removal of a license registration and renewal fees.

Mr. Purcell stated that amending language regarding access to client records, read as follows “the service records must be available for use by the Administrative Authority of the Raritan Township Board of Health.”

Municipal Clerk, Lisa Fania, stated that all Board of Health Members were notified of tonight’s ordinance introduction and that no comments were provided.

Mayor Gilbert stated that all massage therapy establishments in the Township will be notified of the scheduled public hearing on December 19, 2017 along with a copy of the proposed ordinance. Clerk Fania acknowledged same.

Mayor Gilbert read by title Ordinance #17-41.

AN ORDINANCE AMENDING TITLE 5 ENTITLED “BUSINESS LICENSES AND REGULATIONS” BY AMENDING SECTION 5.04.010 ENTITLED “PURPOSE,” AND BY ADDING CHAPTER 5.50 ENTITLED “MASSAGE, BODYWORK OR SOMATIC THERAPY ESTABLISHMENTS” THERETO

Mayor Gilbert asked for a motion to introduce Ordinance #17-41 on first consideration as amended.  
Motion by O’Brien, seconded by Mayor Gilbert

**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 December 19, 2017.

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At this time, Mayor Gilbert requested that the Committee deviate from the scheduled agenda and take action on proposed Resolution Item 17c Authorizing 2017 Budget Transfer #3 (Emergency) as four (4) votes were required for adoption and Deputy Mayor Mangin needed to leave the meeting for a personal emergency.

Mayor Gilbert read Resolution #17-297 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-297.

Motion by O’Brien, seconded by Mangin

**ROLL CALL VOTE:**

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

**RESOLUTION #17-297**

**A RESOLUTION AUTHORIZING 2017  
BUDGET TRANSFER #3  
(EMERGENCY)**

**WHEREAS**, N.J.S.A. 40A:4-58 of the Local Budget Law provides for the transfer of funds from appropriations deemed to have an excess, to appropriations where sufficient balances are not available to fulfill the purpose of the appropriation to the end of the fiscal year, providing that no transfers may be made to appropriations for contingent expenses or deferred charges, and no transfers may be made from appropriation for contingent expenses, deferred charges, cash deficit of the preceding year, reserve for uncollected taxes, down payments, capital improvements fund and debt service; and

**WHEREAS**, N.J.S.A. 40A:4-45a and 45.38 of the Budget Law restrict transfers from appropriations excluded from the Cap Law to appropriations within the Cap Law and also between appropriations excluded from the Cap Law except that transfers may be made to debt service; and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan that the following transfers are authorized between appropriations in the 2017 budget and that a certified copy of this resolution adopted by **not less than a two-thirds (2/3) vote of the full membership of the governing body** be transmitted to the Administrator and Chief Financial Officer.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Social Security	Utilities	\$14,930.66
Police S&W	Tax Collector S&W	\$ 1,050.00
Social Security	Employee Bonds	<u>\$ 1,270.00</u>
Total:		\$17,250.66

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Deputy Mayor Mangin left the meeting 8:29 p.m.

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At this time, Mayor Gilbert requested that the Committee deviate from the scheduled agenda and take action on Resolution Item 17d authorizing the use of open space funds for the installation of parking lots on various open space properties. Mayor Gilbert explained that Committee Member Chen had been working on this project and would like to provide an update on its progress.

Committee Member Chen gave a slide presentation that included the following:

- \*Goal: Enhance the Raritan Township Open Space Program
  - \*Provide access with a primary parking lot to all open space and install signs
  - \*Identify all open space parcels with a primary street address on website
- \*Parking lot template with specifications
- \*Micek Farm parking lot
- \*Basic Elements
  - \*Kiosk, public signs, address

Committee Member Chen presented an update on the status of the following open space parcels as follows:

- \*Raritan Estates (needs Kiosk)
- \*Lone Cedar Park (complete)
- \*Cherryville Hollow Road Preserve (needs Kiosk and blacktop apron)
- \*Urbach Farm (2 lots complete, needs 1 Kiosk and blacktop apron)
- \*Walnut Brook Preserve (Barton) (needs Kiosk and blacktop apron)
- \*Walnut Brook Preserve (Levico) (needs Kiosk, 5 parking bumpers)
- \*Thatchers Hill Preserve (no room for parking)
- \*Bushkill Brook Tributary Preserve (needs Kiosk)
- \*Hard Scrabble Road Preserve (needs Kiosk, blacktop apron, 5 parking bumpers)
- \*Morales (complete)
- \*Mine Brook Park (complete)
- \*Dvoor Circle Properties (no room for parking)
- \*Plum Brook Road (lot could be upgraded, needs Kiosk, 3 parking bumpers)
- \*Neshanic Preserve Lands (parking area could be upgraded, needs Kiosk, 5 parking bumpers)
- \*Thomason Preserve (parking area could be upgraded, needs Kiosk, 5 parking bumpers)
- \*Lenape Park (complete)
- \*Dayton Road Preserve (lot could be upgraded, needs Kiosk, 5 parking bumpers, blacktop apron)
- \*Micek Farm Park (completed)
- \*Clover Hill Park (needs Kiosk)
- \*Everitts Road (no room for parking)
- \*Blackwell Park (complete)
- \*Erich/Salamon Preserve (needs 2 Kiosks)

Committee Member Chen requested that the Committee consider appropriating funds from the Open Space Trust for the purpose of establishing much needed parking areas for improved access with Kiosks at various Township Open Space parcels.

Discussion was held regarding maintenance of the lots; proposed costs; and the number to complete.

During the discussion, Mayor Gilbert commented that the original open space signage was designed by an 8<sup>th</sup> grade student from J.P. Case Middle School who was the winner of a Township-sponsored contest. Committee Member Chen advised that parcels are evaluated according to criteria including parking, trails, and picnic and recreation areas. Committee Member Chen suggested if three of the four criteria are met, then the parking area should be maintained and plowed.

At this time, a member of the public, **Debra Reed**, a resident of 9 Allens Corner Road, spoke in favor of the open space signage and the installation of the parking lots.

Discussion continued regarding the number of Kiosks and the funding to be authorized.

It was decided to amend the resolution to reflect the amount of funding authorized to read, "not to exceed \$6,000.00."

Mayor Gilbert asked for a motion to adopt Resolution #17-298 as amended.  
Motion by Chen, seconded by Reiner

**ROLL CALL VOTE:**

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

**AUTHORIZING THE USE OF OPEN SPACE FUNDS  
FOR THE INSTALLATION OF PARKING LOTS  
ON VARIOUS OPEN SPACE PROPERTIES**

**RESOLUTION #17-298**

**WHEREAS**, the Township has a need to establish parking areas at various Open Space parcels to improve access to these properties; and

**WHEREAS**, the Township has funds available for this purpose in the Open Space Trust Fund; and

**WHEREAS**, the Township Committee agrees that these parking lots will serve the public and that it is a proper use of Open Space Funds.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that parking areas be established at various open space parcels with use of funds from the Open Space Trust not to exceed \$6,000.

---

**FINANCIAL ISSUES**

Payment of Bills as listed for **Raritan Township: \$1,277,447.66**

Mayor Gilbert asked for a motion to approve the bill list for Raritan Township.  
Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

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

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Payment of Bills as listed for **Raritan Township Fire Company: \$1,238.48**

Mayor Gilbert asked for a motion to approve the bill list for the Raritan Township Fire Company.  
Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

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

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**REPORTS**

The following staff reports were acknowledged by the Township Committee:

\*Department of Fire Safety

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**LIAISON REPORTS**

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

Craig O'Brien: Open Space  
Committee Member O'Brien commented positively about the ribbon cutting ceremony at Beyond REACH and spoke highly of the organization.

Louis Reiner: Environmental Commission, Green Team, Fire/Rescue/OEM  
No report. Committee Reiner commented favorably about Beyond REACH.

Karen Gilbert: Historians, Finance, Planning Board (Class I)  
Mayor Gilbert announced that the Planning Board meeting was cancelled and spoke favorably as well of Beyond REACH. Mayor Gilbert also reported on a meeting of the Local Historians Committee.

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**UNFINISHED BUSINESS**

**Revised Fire Prevention Fee Schedule** – Township Fire Marshal, Dennis Concannon, presented a revised fire prevention fee schedule for non-life hazard uses. Mr. Concannon explained that such fees were lowered by \$25.00 each and that all other fees remained the same.

Discussion was held regarding inspection frequency; inspection results; and whether such inspections are included for new construction or new occupancy. Mr. Concannon advised that the recommended frequency is annually or biannually and that the Division of Fire Safety requires adoption of fees by ordinance. He continued to explain that these inspections have not been completed regardless of new occupancy. A majority of Committee Members concurred to proceed with the introduction of the fee ordinance at a future regular meeting. Committee Member O'Brien commented "No."

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**Open Burn Ordinance Draft** – Mr. Concannon recapped from the previous discussion that the current Township ordinance prohibits open burning but does not clearly define open burning. He continued that the proposed draft clarifies such and is more consistent with State regulations.

Mayor Gilbert solicited comments from Committee Members.

Mayor Gilbert expressed support for the ordinance.

Committee Member Reiner voiced support for the ordinance.

Committee Member O'Brien asked for clarification regarding the number of days to obtain a permit; as well as clarification of the language regarding extinguishing open burning, bonfires, or recreational fires.

Mr. Concannon advised that the time frame to receive an open burn permit is ten (10) business days and clarified that a fire extinguisher or bucket of sand or water should be available for immediate use for extinguishing purposes.

Committee Member O'Brien requested that the time period for the issuance of an open burn permit be reduced. Mayor Gilbert proposed five (5) business days.

It was the consensus of the Committee to proceed with the introduction of the ordinance at a future regular 2018 meeting as amended to include issuance of an open burn permit within five (5) business days.

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## **NEW BUSINESS**

**US Census Bureau – LUCA (Local Update of Census Addresses) Government Entity Participation Reports (NJ)** – Mr. Hutchins explained that the State is reaching out to counties and municipalities to determine interest in the voluntary decennial census operation known as LUCA, Local Update of Census Addresses Operation. Mr. Hutchins advised that the process is labor intensive and time consuming and that the Township does not have the manpower to acquire and post the information requested. It was the consensus that Mr. Hutchins advise that the Township will not participate.

**2018 Appointments** – Mayor Gilbert advised that the proposed list of 2018 appointments identifies those members of Township Boards, Committees and Commissions desirous of being reappointed for subsequent terms. Mayor Gilbert announced that there is a vacancy for an Alternate #2 Member on the Board of Adjustment, as a regular member resigned and members were moved up accordingly. Mayor Gilbert asked that Committee Members review for action to be taken at the next regular meeting.

**Adopt-a-Road Application** – Mayor Gilbert advised that Public Works Superintendent, Brion Fleming, has recommended the approval of the application by S and J Landscaping to maintain all of Everitts Road from County Route 579 to Reaville Road. There were no objections or comments.

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**ORDINANCES (FINAL ADOPTION, PUBLIC HEARING)**

Mayor Gilbert read by title Ordinance #17-40.

AN ORDINANCE ACCEPTING A SIGHT EASEMENT AND A STORMWATER MANAGEMENT (BMP) FACILITY EASEMENT AGREEMENT FROM FLEMINGTON INDUSTRIAL PARK, LLC FOR LOT 34 IN BLOCK 27 AND LOT 5 IN BLOCK 28 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

Mayor Gilbert asked for a motion to open public hearing.

Motion by Chen, seconded by Reiner

**MOTION UNANIMOUSLY CARRIED**

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-40 on final consideration, same to be published according to law.

Motion by Chen, seconded by Reiner

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Mangin

**ORDINANCE ADOPTED**

Ordinance advertised November 30, 2017, The Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #17-40**

**AN ORDINANCE ACCEPTING A SIGHT EASEMENT AND A STORMWATER MANAGEMENT (BMP) FACILITY EASEMENT AGREEMENT FROM FLEMINGTON INDUSTRIAL PARK, LLC FOR LOT 34 IN BLOCK 27 AND LOT 5 IN BLOCK 28 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN**

**WHEREAS**, Flemington Industrial Park, LLC is the owner of property located at Lot 34 in Block 27 and Lot 5 in Block 28 (the "Property") as shown on the Tax Map of the Township of Raritan; and

**WHEREAS**, on October 23, 2007, Flemington Industrial Park, LLC, received final site plan and variance approval (the "Approval") for the Property from the Raritan Township Planning Board (the "Board"), RTPB File No. SP-545-PF, which Approval was memorialized by a Resolution of Approval No. 20-2007 adopted on December 11, 2007; and

**WHEREAS**, as a condition of the Approval, the Board required Flemington Industrial Park, LLC to grant to the Township a Sight Easement and a Stormwater Management (BMP) Facility Easement Agreement; and

**WHEREAS**, the Sight Easement and Stormwater Management (BMP) Facility Easement Agreement have 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 Easement and Stormwater Management (BMP) Facility Easement Agreement.

**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 above Sight Easement and Stormwater Management (BMP) Facility Easement Agreement attached hereto; and

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## CORRESPONDENCE

\*Brian Taggart Playground Inspector Certification

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## NON-CONSENT AGENDA

Mayor Gilbert read Resolution #17-294 by title.

Mr. Purcell explained that application regarding the sale of unused sick time is made to the Township Administrator and therefore, Mr. Hutchins cannot make application to himself. He continued that the proposed resolution amends the terms and conditions of Resolution #17-53 regarding the selling of unused sick time for the Township Administrator to authorize application be made to the Chief Financial Officer.

Mayor Gilbert asked for a motion to adopt Resolution #17-294.

Motion by Reiner, seconded by Chen

### ROLL CALL VOTE:

**AYES:** Chen, Reiner, Mayor Gilbert

**NOES:** O'Brien

**ABSTAIN:** None

**ABSENT:** Mangin

**RESOLUTION #17-294**

**AMENDING THE TERMS AND CONDITIONS OF RESOLUTION #17-53  
REGARDING THE SELLING OF UNUSED SICK TIME  
FOR THE TOWNSHIP ADMINISTRATOR**

**WHEREAS**, the Township Committee of the Township of Raritan (“Township”) has appointed Donald Hutchins as the Township Administrator by way of Resolution #17-53; and

**WHEREAS**, as stipulated in that Resolution, Mr. Hutchins receives the same “holiday, vacation, sick and personal days in accordance with the union contract then in effect between Raritan Township and CWA Local 1040 Higher Level Supervisory Unit (the “Union Contract”);” and

**WHEREAS**, Article 12, subsection (K) of the Union Contract permits, with certain conditions attached thereto, the selling of unused sick time by employees covered by said contract to the Township; and

**WHEREAS**, Article 12, subsection (K) provides that applications to sell unused sick time are to be made to the Township Administrator; and

**WHEREAS**, this provision, as applied to Mr. Hutchins’ sale of his own unused sick time, creates an inadvertent conflict.

**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 following:

1. The terms and conditions set forth in Resolution #17-53 are hereby amended, so that Mr. Hutchins shall make application to the Chief Financial Officer of Raritan Township for the sale of his unused sick time as otherwise provided by Article 12, subsection (K) of the Union Contract.

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Mayor Gilbert read Resolution #17-295 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-295.

Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Mangin

**RESOLUTION #17-295**

**A RESOLUTION AWARDING A CONTRACT TO J. CALDWELL & ASSOCIATES, LLC  
FOR MASTER PLAN REEXAMINATION SERVICES**

**WHEREAS**, the Township of Raritan advertised for Master Plan Reexamination services; and

**WHEREAS**, the Township received three (3) proposals on November 13, 2017; and

**WHEREAS**, the proposals were reviewed, and recommendation has been made by the Township Engineer, Antoine Hajjar, for award to J Caldwell & Associates, LLC, 122 Main Street, Newton, New

Jersey, 07860, the lowest responsive, responsible bidder as outlined in the attached which is annexed hereto and made part of this Resolution; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #17-18 for this purpose.

**NOW, THEREFORE, BE IT RESOLVED**, on this 5<sup>th</sup> day of December, 2017, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey:

- 1) That a contract be and is hereby awarded to J Caldwell & Associates, LLC, 122 Main Street, Newton, New Jersey, 07860.
- 2) That the contract does not exceed \$10,000.00
- 3) That the Mayor and Township Clerk are hereby authorized and directed to execute contracts with J Caldwell & Associates, LLC in accordance with the specifications and bid documents.

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## 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.

At this time, Committee Member O'Brien requested that proposed Resolution Item 18b, Authorizing a Tax Refund Due to Disabled Person Deduction (Furey-Bell) 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 Chen

### ROLL CALL VOTE:

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Mangin

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## MINUTES

Mayor Gilbert asked for a motion to approve the Regular and Executive Meeting Minutes of November 6, 2017.

Motion by Chen, seconded by Reiner.

**MOTION UNANIMOUSLY CARRIED**

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**RESOLUTION #17-288**

**AUTHORIZING THE RETURN OF  
DEVELOPER'S ESCROW (MBI)**

**WHEREAS**, MBI has requested the return of its Developer's Escrow; and  
**WHEREAS**, Kristi Gano, Payroll/HR Coordinator, has submitted a memo dated November 21, 2017 and recommended the return of the following Developer's Escrows:

MBI – RS-Ingerman-2014                      \$69.73

**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 \$69.73 posted by MBI is hereby refunded.

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**RESOLUTION #17-290**

**AUTHORIZING THE REFUND OF A ZONING PERMIT FEE**

**WHEREAS**, River Edge Restorations, LLC has requested a refund of a Zoning permit fee; and  
**WHEREAS**, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated November 2, 2017 and recommended the refund of the Zoning permit fee in the amount of \$30.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan that the Zoning Permit fee paid by River Edge Restorations, LLC in the amount of \$30.00 is hereby refunded.

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**RESOLUTION #17-291**

**AUTHORIZING THE RENEWAL OF THE SOMERSET COUNTY  
JOINT INSURANCE FUND MEMBERSHIP**

**WHEREAS**, the **Township of Raritan** is a member of the SOMERSET COUNTY JOINT INSURANCE FUND (hereinafter the "FUND"); and

**WHEREAS**, effective December 31, 2017, said membership will expire unless earlier renewed;  
and

**WHEREAS**, the **Township of Raritan** desires to renew said membership.

**NOW, THEREFORE BE IT RESOLVED** as follows:

1. **Township of Raritan** hereby renews its membership in the FUND for a three (3) year period, beginning January 1, 2018 and ending January 1, 2020.
2. **Township of Raritan** hereby ratifies and reaffirms the Indemnity and Trust Agreement, By-Laws and other organizational and operational documents of the FUND as from time to time may be amended by the FUND and/or the Department of Banking and Insurance in accordance with the applicable statutes

and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.

3. **Township of Raritan** agrees to be a participating member of the FUND for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. **Township of Raritan** agrees that as a member of the FUND the **Township of Raritan** must purchase all types of coverages offered by the FUND which are applicable to the **Township of Raritan**.

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**RESOLUTION #17-292**

**A RESOLUTION ACCEPTING AN AGREEMENT WITH REVERSE LOGISTICS GROUP AMERICAS, INC. FOR E-RECYCLING PROGRAM**

**WHEREAS**, the residents of the Township of Raritan are in need of a cost-effective method of disposing of electronic and computer equipment, an E-Recycling Program; and

**WHEREAS**, the Township Department of Public Works does not have the capacity to process electronic and computer equipment, but does have the capacity to store these materials for pick-up and establish an E-Recycling Program; and

**WHEREAS**, Reverse Logistics Group Americas, Inc. (RLGA) offered to the Township to pick-up, at no charge to the Township, electronic and computer equipment, and bring to RLGA's dismantling facility; and

**WHEREAS**, RLGA is a New Jersey Department of Environmental Protection licensed dismantling facility and a certified R2 (Responsible Recycling) and ISO 14001 providing for disposal services for electronic and computer equipment; and

**WHEREAS**, RLGA agreed to safeguard information in the equipment that may be delivered to the Township DPW and indemnify and save the Township harmless from any environmental degradation that the disposal of the equipment may cause; and

**WHEREAS**, RLGA's offer provides a vehicle for the Township to provide an E-Recycling Program at no cost to Township residents.

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

1. That the Township of Raritan accepts RLGA's no cost offer.
2. That this Resolution shall take effect immediately.

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**RESOLUTION #17-293**

**AUTHORIZING FOURTH QUARTER 2017 TAX REFUND**

**WHEREAS**, the Township Tax Collector has recommended the refund of overpayments; 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 receive a refund in the amount specified due to duplicate payments for Fourth Quarter, 2017 taxes.

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>
Mr. & Mrs. Hayes (1 Marsh Court)	\$4225.07	63	33.03

---

Committee Member O'Brien requested that information regarding disabled persons tax deduction be posted on the Township website.

Mayor Gilbert read Resolution #17-289 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-289.

Motion by Chen, seconded by Reiner

**ROLL CALL VOTE:**

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

**RESOLUTION #17-289**

**A RESOLUTION AUTHORIZING A TAX  
REFUND DUE TO DISABLED PERSON DEDUCTION**

**WHEREAS**, Gail P. Furey-Bell, who resides at 53 Saxonney Circle, Block 71.13, Lot 20, filed a claim for a disabled person deduction with the Raritan Township Tax Assessor, and

**WHEREAS**, Ms. Furey-Bell has been granted a disabled person deduction by the Township Tax Assessor, and

**WHEREAS**, the Township Tax Collector has recommended a partial refund of Fourth Quarter 2017 taxes in the amount of \$250.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Raritan that a refund in the amount of \$250.00 for a portion of Fourth Quarter 2017 property taxes is hereby granted to Ms. Furey-Bell.

---

Mayor Gilbert read Resolution #17-299 by title.

Mayor Gilbert explained the neither the Prosecutor or Alternate Prosecutor was available to attend the scheduled December 6, 2017 Court session, so therefore, the appointment of an acting alternate prosecutor was required.

Mayor Gilbert asked for a motion to adopt Resolution #17-299.  
Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

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

**RESOLUTION #17- 299**

**AUTHORIZING THE APPOINTMENT OF ACTING  
ALTERNATE PROSECUTOR**

**WHEREAS**, in order to effectuate the proper operation of the Raritan Township Municipal Court it is necessary to have Alternate Prosecutors appointed who may serve in the event of the absence of or conflict of the appointed prosecutor; and

**WHEREAS**, Charles Z. Schalk was appointed as the Alternate Prosecutor but is unable to serve as the Alternate Prosecutor for the December 6, 2017 Court session as the Alternate Prosecutor in the absence of the Municipal Prosecutor; and

**WHEREAS**, the Alternate Prosecutor in conjunction with the Municipal Prosecutor have secured a replacement to serve on his behalf and agree that Hyun Lee of the firm Mauro, Savo, Camerino, Grant and Schalk can serve as the Acting Alternate Prosecutor for the December 6, 2017 Court Session.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Township Committee that Hyun Lee is hereby appointed as the Acting Alternate Prosecutor for the Court Session on December 6, 2017.

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**PRIVILEGE OF THE FLOOR**

There was no public comment.

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**ADJOURNMENT**

Mayor Gilbert asked for a motion to adjourn and reconvene closed session.  
Motion by Reiner, seconded by Chen

**MOTION UNANIMOUSLY CARRIED**

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***CLOSED SESSION #2 MINUTES ARE COMPLETED IN A SEPARATE DOCUMENT***

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Meeting adjourned at 9:26 p.m.

Respectfully submitted,

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Lisa Fania, RMC  
Township Clerk

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING  
RARITAN TOWNSHIP MUNICIPAL BUILDING  
TUESDAY, DECEMBER 19, 2017**

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**MEETING CALLED:** Mayor Gilbert called the regular meeting to order at 6:31 p.m.

**ROLL CALL:** The following were present: Mayor, Karen Gilbert (arrived at 6:34 p.m.); Comm. Richard Chen; Comm. Craig O'Brien; Comm. Michael Mangin; Comm. Louis Reiner. Also present were Township Attorney, Jeff Lehrer; Attorney, Ed Purcell; Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; and Police Chief, Glenn Tabasko.

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**MEETING ADVERTISED:** Deputy Mayor Mangin 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.

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Township Attorney Lehrer read Resolution #17-313 in full.

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

**ROLL CALL VOTE:**

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

**RESOLUTION #17-313**

**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: Auditor Appointment
  - b) Personnel: Construction Official; Fire Prevention Inspector; Public Works Personnel; Judge Appointment
  - c) Attorney-Client Privilege: PBA Grievances
  - d) Attorney-Client Privilege and Land Acquisition: Partridge Run/Morningside Court Resident Concerns
  - e) Pending Litigation: Sempervive Update

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.

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***CLOSED SESSION MINUTES #1 ARE COMPLETED IN A SEPARATE DOCUMENT***

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The regular meeting reconvened at 7:08 p.m.

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**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.

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**AMEND/APPROVE THE AGENDA**

Mayor Gilbert advised of several additional items to the scheduled agenda, a resolution authorizing the membership renewal of the Somerset County Joint Insurance Fund; authorization by voice vote for the Mayor to sign letters in response to PBA grievances; and a resolution in honor of Committee Member Chen's term as Township Committeeman.

Committee Member O'Brien voiced opposition to amending the agenda with the exception of the resolution for Committee Member Chen and the action regarding the PBA grievances in the interest of transparency, as the items were not posted the Friday prior to the meeting. Committee Member O'Brien commented, "but the other stuff came out last night. It is our policy that unless it is an emergency, we put things out on Friday night because we have not given the public a chance to review or look at this and I have not had a chance to really look at it." Committee Member O'Brien suggested deferring action to a future date. Committee Member O'Brien added that other items include an agreement with the RTMUA, a grant, and one or two other things.

Mayor Gilbert responded that "unfortunately things came up..." "As far as the RTMUA, I believe that we have to get that authorized. We do have the option to add things to the agenda that is why we have this Item #6, Amend/Approve the Agenda as amended. It is up to the Committee to decide whether or not they wish to add these items."

Debate continued regarding the protocol for adding items to the agenda.

Mr. Lehrer explained that the RTMUA resolution is not a new issue, that the Committee had already authorized the acceptance of the additional approved capacity from the RTMUA. He continued that tonight's action is merely memorializing that which you have already taken action on.

Township Administrator, Don Hutchins, commented that Clerk Fania advised that a revised agenda was posted on the website. Committee Member O'Brien concurred it was but asked that in the interest of transparency and Township policy, these items be deferred.

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

Motion by Reiner; seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, Reiner, Mayor Gilbert

**NOES:** O'Brien

**ABSTAIN:** None

**ABSENT:** None

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At this time, Mr. Lehrer requested that Mayor Gilbert ask for a voice vote authorizing her to sign the PBA grievance letters.

Mayor Gilbert asked for a voice vote for authorization for her in capacity as Mayor to sign the PBA grievance letters.

**NOES: O'Brien**

**MOTION CARRIED**

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**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, expressed dissatisfaction regarding the resolution honoring Committee Member Chen for his service on the Township Committee.

**Frances Gavigan**, a resident of 123 Wertsville Road, commented that the ordinance seems to be written and crafted as a backdoor way of taking care of "happy ending" parlors.

**Mark Peters**, a resident of 23 Timberwick Drive, extended gratitude to and commended Township Engineer, Tony Hajjar, and his staff for the work done regarding abandoned properties in the Township.

During Public Comment, Mr. Lehrer advised that the massage therapy ordinance has a scheduled public hearing later in the agenda and that comment at this point is for all matters for which there is no public hearing.

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**FINANCIAL ISSUES**

Payment of Bills as listed for **Raritan Township: \$785,855.56**

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

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At this time, Mayor Gilbert asked that the Committee deviate from the scheduled agenda and take action on Ordinance #17-41, an Ordinance Amending Title 5 Entitled "Business Licenses and Regulations" by Amending Section 5.04.010 Entitled "Purpose," and by Adding Chapter 5.50 Entitled "Massage, Bodywork or Somatic Therapy Establishments" Thereto, as interested parties were in attendance.

Mr. Lehrer explained that the proposed ordinance regulates and licenses massage, bodyworks or somatic therapy establishments where the use of hands or energy work to touch someone or not touch someone, i.e. Reiki, is performed. He continued that the ordinance does not license massage therapists or Reiki masters which are regulated by the Department of Community Affairs. Mr. Lehrer further explained that a model ordinance came out about ten (10) years ago and had been adopted by Counties including Middlesex, Passaic, and Union.

Mr. Lehrer further stated that the requirement regarding accessibility of client records was deleted and expressed opinion that the ordinance is fully lawful and would prevent certain types of illicit activities in the Township.

Mayor Gilbert recapped that this effort had been initiated over a year and half ago when the Hunterdon County Prosecutor's Office asked if the Township would be interested in adopting such an ordinance. Mayor Gilbert explained that much effort has gone into the development of the proposed ordinance amongst the Prosecutor's Office, the County Board of Health, the Township, and the Police Department.

Mayor Gilbert continued that there is a known problem in the Township; that the Police Chief has made it clear that he will not allow police officers to engage in undercover activity; that the Prosecutor's Office believes this is the best way to eliminate the existing problem and avoid future issues; and that the proposed ordinance will allow the Township to use the County Board of Health to perform routine inspections and issue fines for violations accordingly.

Mayor Gilbert read Ordinance #17-41 by title.

AN ORDINANCE AMENDING TITLE 5 ENTITLED "BUSINESS LICENSES AND REGULATIONS" BY AMENDING SECTION 5.04.010 ENTITLED "PURPOSE," AND BY ADDING CHAPTER 5.50 ENTITLED "MASSAGE, BODYWORK OR SOMATIC THERAPY ESTABLISHMENTS" THERETO

Mayor Gilbert asked for a motion to open public hearing.

Motion by Chen, seconded by Mangin

**MOTION UNANIMOUSLY CARRIED**

The following members of the public spoke during public comment:

**Cynthia Orsi**, a resident of 35 Kuhl Road and owner of Body and Balance Salt Cave Spa, expressed concerns regarding the requirement to be licensed by the Township; accessibility to client records; and exemptions. Ms. Orsi suggested an ordinance to protect therapists from clients requesting sexual favors.

**Jeannie Geremia**, a resident of 2 Greenwood Place, expressed dissatisfaction to cupping referred to as a prohibitive therapy.

**Frances Gavigan**, a resident of 123 Wertsville Road, asked about Township regulations regarding nail salons; whether the State is requiring the proposed ordinance; expressed concern for record accessibility to the Raritan Township Board of Health and police department; and inquired whether the Township will be considering an ordinance protecting therapists from those that request illegal sexual acts.

**Police Chief, Glenn Tabasko**, commented that the proposed ordinance provides a better opportunity for the Police Department to shut down establishments and keep them closed. Chief Tabasko continued that currently the Department is required to send in officers undercover and that he is no longer allowing that to occur. He further explained that this initiative has been ongoing for over a year and a half with the County Board of Health and has been receptive by all parties involved. Chief Tabasko commented that he has no concerns for the Township being the first in Hunterdon County to implement such regulation; that it has been successful in other towns; researched and vetted by this Township Committee; and that it is reasonable to require these establishments to submit to the same regulations under local law as State law.

**Brian Swingle**, former Flemington Borough Councilman and resident of 55 Broad Street, spoke on Flemington Boroughs' actions regarding the issue advising that the municipality did not adopt an ordinance.

**Henry Kuhl**, a resident of 35 Kuhl Road, raised concern for the impact of the ordinance on legitimate establishments.

**Maria Jablonski**, a resident of 7 Fieldstone Place, expressed concern regarding the impact of only annual inspections on enforcement.

**Mark Peters**, a resident of 23 Timberwick Drive, spoke as a resident and not as a member of the Raritan Township Board of Health, expressed support in favor of the ordinance.

During Public Comment, Mr. Lehrer reiterated that the requirement regarding the accessibility of records was deleted and that there is no obligation for establishments to provide the names of patrons unless subpoenaed by the Prosecutor's Office during a criminal investigation. He continued to advise that State statute considers cupping inappropriate and requires local regulation; that nail salons are not regulated as of yet; and that regulations regarding illicit sexual activity are found in Title 2C of the Criminal Code. Mayor Gilbert explained that the listed exemptions are regulated by a different State board; reiterated that the Township can only do more, not less than what is mandated by State statute and that the purpose of

the ordinance is to regulate what exists at the State level and authorize inspections by the County Board of Health. Mayor Gilbert added that inspections can be complaint-driven as well.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-41 final consideration, same to be published according to law.

Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

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

**NOES:** Reiner

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

Ordinance advertised December 13, 2017, The Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #17-41**

**AN ORDINANCE AMENDING TITLE 5 ENTITLED "BUSINESS LICENSES AND REGULATIONS" BY AMENDING SECTION 5.04.010 ENTITLED "PURPOSE," AND BY ADDING CHAPTER 5.50 ENTITLED "MASSAGE, BODYWORK OR SOMATIC THERAPY ESTABLISHMENTS" THERETO**

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

**Section 1.** Section 5.04.010 "Purpose" is hereby amended as follows:

The purpose of this chapter is to provide a uniform set of procedures for administering the issuance, renewal, and revocation of all licenses issued by the township, except alcoholic beverage licenses, dog licenses, massage therapy establishments and bodywork therapy establishment licenses, and taxicab licenses.

**Section 2.** Chapter 5.50 "Massage, Bodywork or Somatic Therapy Establishments" is hereby added as follows:

**5.50.010 Definitions.**

The following words, terms and phrases, as used in this Chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

"Administrative Authority of the Raritan Township Board of Health" or "Administrative Authority" shall mean the entity acting as the enforcement and compliance agent of the Raritan Township Board of Health. "Massage, Bodywork or Somatic Therapies" means any systems of activity of structured touch which include, but are not limited to, holding, applying pressure, positioning and mobilizing soft tissue of the body by manual technique and use of visual, kinesthetic, auditory and palpating skills to assess the body for the purpose of applying therapeutic massage, bodywork or somatic principles. Such applications may include, but are not limited to, the use of therapies such as heliotherapy or hydrotherapy, bodywraps, the use of moist hot or cold external applications, external applications of herbal or topical preparations not classified as prescription drugs, movement and neuromyofacial education and education in self-care and stress management. Massage and bodywork therapies do not include the diagnosis or treatment of illness, disease, impairment or disability.

“Massage, Bodywork or Somatic Therapist” means any person licensed pursuant to the provisions of the Massage and Bodywork Therapist Licensing Act, N.J.S.A. 45:11-53 et seq.

“Massage, Bodywork or Somatic Therapist Employer” means any individual or entity that employs another person to engage in providing massage, bodywork or somatic therapy.

“Massage, Bodywork or Somatic Therapy Establishment” means any establishment wherein Massage, Bodywork or Somatic Therapies are administered or are permitted to be administered when such therapies are administered for any form of compensation.

**5.50.020 License required.**

A. No person, firm, corporation or other entity shall operate any establishment or utilize any premises in the Township of Raritan as a Massage, Bodywork or Somatic Therapy Establishment unless or until such person, firm or corporation has first obtained a license from the Raritan Township Clerk in accordance with the terms and provisions of this section.

B. No person shall practice massage or related therapies as a Massage, Bodywork or Somatic Therapist, employee or otherwise unless such person has a valid and subsisting massage and bodywork therapist’s license issued to him or her by the New Jersey Board of Massage and Bodywork Therapy pursuant to the terms and provisions of the Massage and Bodywork Therapist Licensing Act, N.J.S.A. 45:11-53 et seq.

C. No person or entity shall employ a Massage, Bodywork or Somatic Therapist as an employee unless such employee has a valid New Jersey Board of Massage and Bodywork Therapy therapist license.

D. No Massage, Bodywork or Somatic Therapist Employer shall engage in, advertise or hold itself out as offering Massage, Bodywork or Somatic Therapies unless such employer has registered with the New Jersey Board of Massage and Bodywork Therapy.

**5.050.030 Application for massage and bodywork therapy establishment license.**

Any person desiring a Massage, Bodywork or Somatic Therapy Establishment license shall file a written application with the Raritan Township Board of Health upon a form provided by the Raritan Township Clerk.

**5.050.040 Application requirements.**

A. Any person, firm, corporation, organization or other entity applying for a Massage, Bodywork or Somatic Therapy establishment license shall submit the required application, which shall include the following information:

1. The business name and type of ownership of the business, i.e., whether individual, partnership, corporation or any other form of business organization.

2. The trade name, style and designation under which the business is to be conducted.

3. The address and all telephone numbers, including facsimile, where the establishment will be maintained, operated and conducted, and the email address of the applicant.

4. A list and full description of all Massage, Bodywork or Somatic Therapy services to be offered.

5. A complete list of the names and residence addresses of all Massage, Bodywork or Somatic Therapists and employees of the business and the name and residence address of the owner, manager or other person principally in charge of the business. It shall be the responsibility of the owner, manager or other person principally in charge of the business to maintain an updated employee list and to provide same to the Raritan Township Board of Health. The Raritan Township Board of Health shall be notified in writing within thirty (30) days, transmitted by regular mail, email or facsimile, of any and all changes to the employee list. The employee list shall be made available during all inspections of the massage, bodywork or somatic therapy establishment.

6. A sworn statement attached to the employee list required above indicating that all Massage, Bodywork or Somatic Therapists employed or to be employed by the establishment or otherwise permitted to work at the establishment have been licensed by the State of New Jersey pursuant to the Massage and Bodywork

Therapist Licensing Act, N.J.S.A. 45:11-53 et seq.

7. A written disinfection plan for all linens, towels and reusable instruments used by the establishment, and all surfaces within the establishment, which disinfection plan must comply with the requirements of N.J.A.C. 13:37A-3.2.

8. Personal information concerning the applicant shall be provided for each of the following persons:

- a. An individual applicant;
- b. Each stockholder holding more than 10% of the stock of the corporation, and each officer and director, if the applicant is a corporation;
- c. Each partner, including each limited partner, if the applicant is a partnership; and
- d. The manager or other person principally in charge of the operation.

The information to be provided for each of the above shall be as follows:

- 1). The applicant name, complete residence address, residence telephone number and email address;
- 2). Two previous residence addresses immediately prior to the present residence address of the applicant;
- 3). A copy of a current driver's license or other government-issued photo identification;
- 4). Two front-face portrait photographs taken within thirty (30) days of the date of the application and at least two (2") inches in size;
- 5). The massage, bodywork or somatic therapy establishment business history and experience, including, but not limited to, whether or not such person has previously operated or is currently operating, in this or another municipality or state, under a license agreement or permit, or has a license or permit ever been denied, revoked or suspended and the reason therefor, in addition to the business activities or occupations subsequent to such action or denial, suspension or revocation;
- 6). All criminal convictions other than misdemeanor traffic violations, fully disclosing the jurisdiction in which convicted, the offense for which convicted and the circumstances thereof.

B. In addition to the completed application, the applicant, who shall be a principal of the business, may be required to submit additional documentation, including, but not limited to, a sketch, floor plan, building layout, diagram, zoning permit and/or certificate of occupancy as applicable to the application.

C. In addition to the completed application, the applicant shall provide a criminal background check to be provided through the filing of a New Jersey Uniform Fingerprint Form provided by the Raritan Township Clerk.

D. The applicant shall provide proof of General Liability insurance. This policy shall be maintained at all times by the establishment.

E. The applicant shall provide proof of ownership or shall provide a copy of a signed lease agreement for the property location where the Massage, Bodywork or Somatic Therapy Establishment shall be operated. If a signed lease, the applicant must be listed on the lease agreement.

F. All changes in ownership of ten (10%) percent or more must be reported to the Raritan Township Board of Health by regular mail, email or facsimile, within ten (10) days of the occurrence of such change.

G. The Raritan Township Board of Health may refuse, after notice, to grant a Massage, Bodywork or Somatic Therapy Establishment license. Reasons for such refusal include, but are not limited to, the following:

1. Fraud, misrepresentation, false statement, or omission of any requires information in the application for the establishment license.
2. The conviction of an owner/operator, manager or any employee of the establishment for a crime or disorderly person offense involving moral turpitude, a felony, an offense involving sexual misconduct, keeping or residing in a house of prostitution, or any crime involving dishonesty, or

evidence that applicant has had its Massage, Bodywork or Somatic Therapy Establishment license revoked previously in the Township or another municipality.

3. Failure to provide a criminal background check as required by Section 5.05.040(C) of the Revised General Ordinances of the Township of Raritan.

**5.050.050 Building requirements; Inspections.**

A. The Administrative Authority of the Raritan Township Board of Health, upon receipt of the application, shall refer same to the Construction Department, the Fire Safety Services Department, the Police Department, the Building, Planning and Engineering Department, and any other department deemed necessary. Such departments shall make recommendations to the Administrative Authority of the Raritan Township Board of Health concerning compliance with all municipal and state codes.

B. No Massage, Bodywork or Somatic Therapy Establishment license shall be issued until an applicant has satisfactorily passed inspections by all governmental entities provided for by subsection A of this section.

C. In addition, the establishment must comply with the hygiene requirements found at N.J.A.C. 13:37A-3.2

**5.050.060 Transferability; Licenses; Renewal; Reinspections**

A. Massage, Bodywork or Somatic Therapy Establishment licenses granted under this Chapter are only valid to the applicant to whom it was granted at the address stated on the application and are not transferable in any way. A new license must be obtained in the event of the sale or other transfer of the establishment.

B. All licenses issued pursuant to this Chapter shall expire each year on December 31, unless sooner suspended or revoked. In order to renew a Massage, Bodywork or Somatic Therapy Establishment license, licensee shall submit a renewal form provided by the Raritan Township. Said renewal form shall require licensee to update its list of Massage, Bodywork or Somatic Therapists and certify that licensee has not been convicted of a crime related to its massage activities, or a sexual offense. Upon satisfactory review of same, the Raritan Township Board of Health shall issue a renewal license. As a requirement of the annual renewal, the Raritan Township Police Department may request an updated background check from any Massage, Bodywork or Somatic Therapy Establishment owner(s), therapist(s), and employee(s).

C. All licenses issued pursuant to this Chapter are subject to a fifty (\$50.00) dollar late fee for failure to renew the license with payment by January 15 of each calendar year.

D. All establishment licenses are subject to immediate suspension and closure of the establishment as described in Section 5.050.70 for failure to renew the license by January 15 of each year.

E. Should a re-inspection of a Massage, Bodywork or Somatic Therapy Establishment be required as determined by the Administrative Authority of the Raritan Township Board of Health as a result of a violation observed during an initial inspection, a re-inspection fee of one hundred fifty (\$150.00) dollars shall be charged to the establishment for each subsequent re-inspection, until all violations have been abated. The re-inspection fee must be paid by the establishment to the Raritan Township Board of Health within ten (10) business days of the date the violation requiring re-inspection was issued. All licenses are subject to immediate suspension and the establishment subject to closure for failure to remit the re-inspection fee within ten (10) business days of the date the violation requiring re-inspection was issued.

**5.050.070 Inspections.**

The Administrative Authority of the Raritan Township Board of Health shall, from time to time, at least once a year, make an inspection of each Massage, Bodywork or Somatic Therapy Establishment granted a license under the provisions of this Chapter, for the purpose of determining whether the provisions of this Chapter and any applicable rules, regulations, ordinances and/or laws are being complied with. Such inspections shall be made at reasonable times and in a reasonable manner. In addition to an annual inspection, the Administrative Authority of the Raritan Township Board of Health may also perform an inspection upon any reasonable report of a violation by any person. It shall be unlawful for any

Massage, Bodywork or Somatic Therapy Establishment or employee thereof to fail to allow such inspection officer to gain access to the establishment or to hinder such officer in any manner.

A. The Administrative Authority of the Raritan Township Board of Health shall ensure that:

1. That the establishment has a written disinfection plan as required by Section 5.050.040(8) of the Revised General Code of the Township of Raritan and is in conformance all requirements of N.J.A.C. 13:37A-3.2.
2. That all licenses issued by the state and the Township are posted in a visible place as required by Section 5.050.80 of the Revised General Ordinances of the Township of Raritan.
3. The establishment is maintaining records as required by Section 5.050.90(E) & (F) of the Revised General Ordinances of the Township of Raritan.
4. There is no evidence of sleeping or living quarters in the establishment.
5. That the establishment is in conformance with all other requirements of the Revised General Ordinances of the Township of Raritan, state statute and state regulation.

**5.050.080 Display of licenses.**

A. All Massage, Bodywork or Somatic Therapy Establishments shall display the establishment license issued pursuant to this Chapter in an open and conspicuous place on the premises of the establishment near the public entrance.

B. The State license of each and every Massage, Bodywork or Somatic Therapist employed in the establishment must be posted prominently in an open and conspicuous place on the premises of the establishment near the public entrance. A two (2") inch by two (2") inch passport-sized color photograph of each licensed Massage, Bodywork, or Somatic Therapist must be affixed to each therapist's displayed license.

C. Each and every Massage, Bodywork or Somatic Therapist employed in the establishment shall have in his or her possession at all times while on the premises government-issued photographic identification, which must be available for review.

**5.050.090 Requirements.**

A. Each room of the establishment in which Massage, Bodywork or Somatic Therapy is conducted shall have an adequate area within the room for clients to store personal items during therapy sessions.

B. With the exception of guide animals, hearing animals and service animals, no animals shall be permitted in the establishment.

C. Price rates for all services shall be prominently displayed in an open and conspicuous area on the premises of the establishment near the public entrance.

D. A written exclusion policy shall be kept on the premises stating that the establishment shall not knowingly serve any patron infected with any fungus or other skin infections, nor perform any service on any patron exhibiting skin inflammation or eruptions, provided that a duly licensed physician may certify that a person may be safely provided with a massage, bodywork or somatic therapy prescribing the conditions thereof. The written exclusion policy shall be prominently displayed in an open and conspicuous area on the premises of the establishment near the public entrance.

E. Client intake records must be kept for each and every client who receives services from the Massage, Bodywork or Somatic Establishment pursuant to N.J.A.C. 13:37A-5.2.

F. The establishment shall prominently post signage specifying the age restriction of patrons and the client record-keeping requirements in an open and conspicuous area on the premises of the establishment near the public entrance.

G. The written disinfection plan submitted with the application for the establishment license shall be kept on the premises at all times for review by the Board of Health. The employees of the massage, bodywork or somatic therapy establishment shall demonstrate to the Administrative Authority of the Raritan Township Board of Health an understanding of and compliance with the written disinfection plan. The establishment shall comply with all parts of the written disinfection plan at all times.

H. All employees, including Massage, Bodywork or Somatic Therapists, shall wear nontransparent outer garments. Employee dressing rooms must be available on the premises of the establishment. Doors to such dressing rooms shall be self-closing.

I. All Massage, Bodywork or Somatic Therapy Establishments shall provide clean linens (including, but not limited to, laundered sheets and towels) in sufficient quantity, which shall be laundered after each use thereof and stored in a sanitary manner. All linens shall either be laundered on the premises of the establishment with properly functioning commercial-grade washer and drying appliances or shall be laundered by a professional linen supply service, the contract of which shall be made available to the Administrative Authority of the Raritan Township Board of Health at any time.

J. The Sexual or Genital Area of patrons must be covered by towels, cloths or undergarments when in the presence of an employee or a massage, bodywork or somatic therapist.

K. All walls, ceilings, floors, pools, showers, bathtubs, steam rooms and all other physical facilities and surfaces shall be in good repair and maintained in a clean and sanitary condition. Wet and dry heat rooms, steam or vapor rooms or steam or vapor cabinets and shower compartments and toilet rooms shall be thoroughly cleaned and sanitized each day the business is in operation. Bathtubs and showers shall be thoroughly cleaned and sanitized after each use. When carpeting is used on the floors, it shall be kept in a dry, clean and sanitary condition.

L. Each Massage, Bodywork or Somatic Therapist shall wash his or her hands and arms up to and including the elbows with soap and hot running water prior to administering any Massage, Bodywork or Somatic Therapy to each client.

M. All Massage, Bodywork or Somatic Therapy Establishments and employees thereof shall at all times provide access to a sanitary restroom for patrons of the establishment.

N. If ordered closed by the Administrative Authority of the Raritan Township Board of Health, the Massage, Bodywork or Somatic Therapy Establishment must immediately cease operations and close to the public and must remain closed until the Raritan Township Board of Health permits the establishment to reopen.

O. The Massage, Bodywork or Somatic Therapy Establishment shall observe and conform to all applicable rules, regulations and prohibitions set forth by the New Jersey Board of Massage and Bodywork Therapy, as same may be amended from time to time.

**5.050.100 Prohibited acts.**

A. 1.No owner of a Massage, Bodywork or Somatic Therapy Establishment or any employee thereof shall tolerate in any Massage, Bodywork or Somatic Therapy Establishment any activity or behavior prohibited by the State of New Jersey, particularly, but not limited to, (i) laws proscribing prostitution, indecency and obscenity, including the sale, uttering or public communication of obscene material; or (ii) N.J.A.C. 13:37A-3.5.

2. Any conviction of any employee of a Massage, Bodywork or Somatic Therapy Establishment of a violation of the aforementioned statutes and codes shall devolve upon the owner or manager of such establishment, to the extent that it constitutes sufficient cause for the suspension or revocation of the establishment's license.

B. The owner, manager or any employee of the Massage, Bodywork or Somatic Therapy Establishment shall not permit the following upon the premises:

1. The presence or use of table showers.
2. Ear candling.
3. Any and all procedures that involve ear picks, ear scoops or ear spoons.
4. Cupping or applying the open end of a vessel of glass or other material onto the client's skin and utilizing a heating mechanism to heat the vessel.
5. Any activities or therapies that utilize any form of terrestrial or aquatic animals during therapy, including, but not limited to, fish foot spas.

6. Any activities that utilize animal waste or the use of any products that contain animal waste as an ingredient.
7. Colon cleansing.
8. Electrical muscle stimulation.
9. Any materials, paraphernalia, or acts depicting, promoting or associated with sexual activity.
10. Controlled dangerous substances or illegal drugs.
11. Alcoholic beverages.
12. The use of any part of the establishment as sleeping quarters. This provision shall not preclude the location of a Massage, Bodywork or Somatic Therapy Establishment in separate quarters of a building housing a hotel or other separate business or club.
13. Any owner, operator, employee or patron knowingly placing his or her hand upon or touching with any part of his or her body, to fondle in any manner, or to massage a Sexual or Genital Area of any other person, and/or any owner, manager or employee performing or offering to perform any act which would require the touching of any other person's Sexual or Genital Area.
14. The application of any pest control chemicals by any person other than a Commercial Pesticide Applicator licensed by the State of New Jersey.
15. Laundering of any personal items belonging to the owner, manager or any employee upon the premises of the establishment, or the commingling of any personal items with linens laundered by a professional linen supply service.
16. Storage on the premises of excessive personal items belonging to the owner, manager or any employee of the establishment.
17. Bulk food storage, cooking apparatus or meal preparation on the premises of the establishment.
18. The presence of any individual under the age of 18 years old, unless accompanied by a parent or legal guardian.
19. Any therapy performed on any individual under the age of 18 without the express written authorization of, and presence of, a parent or legal guardian.
20. The presence upon the premises of the establishment of any therapist infected with any fungus, skin infection, skin inflammation, skin eruption or any communicable disease, and/or tolerating any such therapist to perform any massage, bodywork or somatic therapy on any client or other person upon the premises of the establishment.
21. The presence of any persons upon the premises who are not necessary to the operation of the establishment.
22. Removing any signage posted by any Township Department upon the premises of the establishment.
23. Placing, publishing, distributing or causing to be placed, published or distributed any print or electronic advertising material that depicts any portion of the human body that would reasonable suggest to prospective clients that any services are available other than those therapies described in the establishment license application.
24. Indicating in text in any print or electronic advertising material that any services are available other than those therapies included in the establishment license application.
25. Depicting in any print or electronic advertising material any persons dressed in such a manner or behaving in such a manner as to suggest that they or the establishment is engaged in keeping or residing in a house of ill repute, soliciting of a lewd or unlawful act, prostitution or pandering.

**5.050.110 Suspension or revocation of establishment license; closure**

A. The Administrative Authority of the Raritan Township Board of Health may at any time suspend the establishment license if it finds that a subsequent health hazard or nuisance has arisen and/or that there is a failure to comply with any part of this Chapter. Upon suspension of the license, the establishment must immediately cease operations, and may not resume operations until the suspension of the license has been

lifted by the Raritan Township Board of Health. The suspension of a license may be lifted only after all of the violations have been abated to the satisfaction of the Health Officer or his or her designee and all applicable fees and penalties have been remitted in full.

B. If the Administrative Authority of the Raritan Township Board of Health finds, determines or has reason to believe that an establishment license should be permanently revoked, then in such event the Administrative Authority of the Raritan Township Board of Health shall schedule a hearing on the matter, and shall so notify the license holder in writing by delivering a copy to him or her personally or by mailing a copy of the notice by certified mail, return receipt requested, at the last known address. The notice shall include the time, date and place of the hearing.

C. The Township Administrator or his or her designee shall serve as the hearing officer for any hearing pursuant to this section. The hearing officer shall notify the license holder of his or her decision either personally at the conclusion of the hearing, which decision shall be confirmed in writing, or by written notice sent by certified mail, return receipt requested.

D. Any license holder who fails to appear at the time and place designated for the hearing shall not be entitled to any further hearing, and in that event, the license may, as a matter of course, be revoked. In such an event, the hearing officer shall so notify the license holder by written notice sent by certified mail, return receipt requested.

E. Reasons for automatic suspension and/or revocation of a license include, but are not limited to, the following:

1. Fraud, misrepresentation, false statement, or omission of any required information in the application for a license.
2. Fraud, misrepresentation, or omission of any required information made or given while operating the establishment.
3. Any violation of this Chapter.
4. Conviction of the owner, manager or any employee of the establishment of a crime involving moral turpitude, a felony, an offense involving sexual misconduct, keeping or residing in a house of prostitution, and/or any crime involving dishonesty.
5. The owner, manager or any employee refusing entry to any duly authorized official from the Administrative Authority of the Raritan Township Board of Health, Police Department, Construction Department, Fire Safety Services Department or Building, Planning and Engineering Department, or any other authorized Township Official to inspect the premises or operations therein.

F. Should an establishment have its license revoked for any reason, at no point in the future shall the same premises be used again for the purpose of operating a massage, bodywork or somatic therapy establishment.

#### **5.050.120 Exceptions.**

A. The provisions of this Chapter shall not apply to massage and bodywork therapies given:

1. In the office of a licensed physician, chiropractor or physical therapist; or
2. By a regularly established medical center, hospital or sanatorium having a staff which includes licensed physicians, chiropractors and/or physical therapists; or
3. By any licensed physician, chiropractor or physical therapist in the residence of his or her patient; or
4. By a licensed barber or cosmetologist/hairdresser to the areas of the face, neck, scalp or upper part of the body as set forth in the Cosmetology and Hairstyling Act of 1984, N.J.S.A. 45:5B-1.

#### **5.050.130 Enforcement**

The Administrative Authority of the Raritan Township Board of Health and any other designated official, shall implement, administer and enforce this Chapter, and are hereby authorized to issue all rules and regulations consistent with this Chapter, and shall have all necessary powers to carry out the purposes of

this Chapter and to enforce this Chapter, and are authorized to issue citations for any violation of this Chapter.

**5.050.140 Violations and Penalties.**

A. Any person, firm, corporation or entity, upon their first conviction of a violation of any of the provisions of this Chapter, shall be subject to a fine of two hundred fifty (\$250.00) dollars. Any person, firm, corporation or entity, upon their second conviction of a violation of any of the provisions of this Chapter, shall be subject to a fine of five hundred (\$500.00) dollars. Any person, firm, corporation or entity, upon their third conviction of a violation of any of the provisions of this Chapter, shall be subject to a fine of one thousand (\$1000.00) dollars and/or by imprisonment in jail for a period not exceeding 90 days, or both, at the discretion of the judge imposing such penalty and/or fine.

B. Each and every day that a violation of this Chapter is found to occur shall constitute a unique and separate violation of this Chapter.

C. Any conviction of any owner, manager, operator or employee of a Massage, Bodywork or Somatic Therapy Establishment of any activity or behavior prohibited by the laws of the State of New Jersey, particularly, but not limited to laws proscribing indecency, prostitution and obscenity, including the sale, uttering or public communication of obscene material; or N.J.A.C. 13:37A-3.5 shall devolve upon the owner of such establishment, it being specifically declared that following such conviction of an employee, manager or owner of the establishment, the owner shall be prosecuted as an accessory to such violation, and the license which has been issued for the establishment shall be revoked.

**Section 3.** All ordinances or parts of ordinances inconsistent with this Chapter are hereby repealed to the extent of any inconsistencies.

**Section 4.** If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason deemed invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

**Section 5.** This Ordinance shall take effect upon final passage according to law.

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

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## REPORTS

The following November, 2017 staff reports were acknowledged by the Township Committee:

- \*Planning/Engineering Escrow Accounts
  - \*Animal Control
  - \*Tax Collector
  - \*Court
  - \*Public Works – Snow Removal Costs
-

## LIAISON REPORTS

- Richard Chen: Finance, Open Space, Parks & Recreation  
Committee Member Chen reported that the final report regarding the deer inventory has been provided by Dr. Jay Kelly of the Raritan Valley Community College Foundation.
- Michael Mangin Planning Board (Class II, RTMUA)  
Deputy Mayor Mangin reported on a meeting of the RTMUA advising on the adoption of resolutions increasing connection and sanitary sewer fees.
- Craig O'Brien: Open Space  
No report.
- Louis Reiner: Environmental Commission, Green Team, Fire/Rescue/OEM  
No report.
- Karen Gilbert: Historians, Finance, Planning Board (Class I)  
Mayor Gilbert reported on a meeting of the Planning Board advising of the formation of an ad hoc committee to review and make recommendations to the sign ordinance. Mayor Gilbert announced that a new on-line portal will be available in January of 2018 on the Township website providing users real-time access to Township data including permit status; license renewals; tax information; and requests for records. Mayor Gilbert also announced that the 2018 Reorganization meeting will be Thursday, January 4, 2018 at 5:00 p.m.

At this time, Committee Member O'Brien commented that he did not learn of the date for the reorganization meeting until it was posted on the website last week. Committee Member O'Brien continued that in years past, the date was discussed then the best date selected. Committee Member O'Brien advised that he was not certain he could attend due to work commitments on Thursdays.

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## UNFINISHED BUSINESS

**2018 Appointments** – Mayor Gilbert commented that there was no feedback provided by Committee Members regarding the proposed 2018 list of appointments. Mayor Gilbert solicited comments. There were none. It was the consensus to proceed with the proposed list.

**Energy Aggregate Program** – Mr. Hutchins explained that an issue arose regarding the energy aggregate program for participants on the budget plan and the “True Up” upon expiration of the contract. Mr. Hutchins continued that participants received fairly large bills to their surprise. Mr. Hutchins continued that he had reached out to the Township’s Consultant whom, in turn, addressed resident complaints. Mr. Hutchins advised that the Township will ensure that the “True Up” period will be addressed in future energy aggregate programs to avoid such issues.

**Open Space Parking Lot** – Committee Member Chen advised that he had completed the identification of street addresses with corresponding bar codes for all Township open space parcels. Committee Member Chen continued that the Township Engineer has reviewed the list for accuracy. Mr. Hutchins commented that the Township Planner suggested including this information as an addendum to the open space plan.

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## NEW BUSINESS

**Request for use of Municipal Parking Lot for a bike ride sponsored by the Flemington Jewish Community Center, Sunday, June 3, 2018** – All Committee Members concurred to authorize the use of the Municipal Parking lot for a bike ride sponsored by the Flemington Jewish Community Center, Sunday, June 3, 2018.

**Engineering/Fire Marshal request for Drone purchase** – Mayor Gilbert explained that Township Assistant Engineer, John Tully and Township Fire Marshal, Dennis Concannon are seeking to purchase a Drone for departmental use.

Mr. Tully explained that the State requires the Township to inspect all stormwater management facilities, new and old in the municipality, for which there are a couple of hundred. He continued that physical inspections take approximately three (3) to four (4) hours per detention basin. He further explained that a drone would enable the engineering department to obtain three-dimensional modeling; volume calculations, and topographic surveying in approximately fifteen minutes. Mr. Tully provided a brief explanation of additional uses including inspections for hunting signage and creation of virtual tours of open space trails. Mr. Tully added that an FAA remote pilot license is required; that the equipment must comply with proper registration requirements; and that the drone is covered under the Township's insurance policy.

Committee Members raised questions regarding State acceptance of drone inspections; cost; infrared capability; use of one drone by both departments; as well as expressed concern for property privacy rights.

During the discussion, Mr. Tully commented that he confirmed that the State will accept drone inspections and the cost of the drone and training for the Engineering Department is about \$4,700.00. He continued to explain that the version for the Fire Prevention Department is approximately \$1,700.00, as it has only video inspection capability. Mr. Tully added that infrared capability is available for about \$15,000.00 and that there are regulations in place regarding protecting property privacy rights.

Mr. Concannon explained uses for the Fire Prevention Department including fire investigation; vantage points; pictures of the scene from above; rooftop inspections; ability to examine rooftop solar panels for wiring, leaf build up, etc.; and overall improved safety. Mr. Tully added that the Engineering model could be used to create a three-dimensional post fire model for the record.

Chief Tabasko voiced support for the purchase and expressed interest in use for criminal investigations.

Committee Member O'Brien expressed approval of the equipment but asked that the cost be included in the budget process.

Township Engineer, Tony Hajjar, advised that the funding will be from stormwater management which was appropriated for a GIS system and training.

Committee Member O'Brien reiterated that he would like the cost to be part of the budget process.

Mr. Hajjar and Mr. Concannon confirmed that there were remaining funds in fire prevention and stormwater management for use for intended equipment.

Mr. Lehrer advised that the purchase of the proposed equipment is within the prerogative of the Administrator and that this discussion is for informational purposes only.

Committee Member Chen commented in support of the technology.

Committee Member O'Brien reiterated that he would like to hold off for the budget process, "That is when new spending should be decided."

Purchase of a drone by the Engineering Department to proceed.

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**Bond Anticipation Note Certificate of Determination Award** – Committee Members acknowledged the executed Certificate of Determination and Award as required by Local Bond Law.

**Request for letter accepting clean fill donation to Raritan Township by Robin Hill Homes** – Mayor Gilbert advised that Robin Hill Homes donated clean fill for the remediation at the Police Department and was seeking a letter of acknowledgment for tax purposes. It was the consensus to authorize Mr. Hutchins to provide a letter accepting the donation of clean fill on behalf of the Township Committee.

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## CORRESPONDENCE

- \*Letter of Commendation for Ann Marie Silvia, Assistant in Tax Collector Office
- \*Letter of Commendation for Don VanFossen and Steven Barrett, Department of Public Works
- \*Thank you from Flemington Greater Soccer Club regarding lights at Clover Hill Park
- \*Letter from Department of Agriculture reporting no detection of gypsy moth infestation in the Township

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## NON-CONSENT AGENDA

Mayor Gilbert read Resolution #17-300 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-300.

Motion by Chen, seconded by Mangin

### ROLL CALL VOTE:

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-300**

**AUTHORIZING THE 2018 APPOINTMENT OF DEPUTY COORDINATORS  
IN THE OFFICE OF EMERGENCY MANAGEMENT**

**WHEREAS**, the Township of Raritan is required to have an Emergency Operations Plan to provide for actions to be taken to mitigate, prepare for, respond to and recover from the effects of an emergency; and

**WHEREAS**, the members of the Office of Emergency Management (OEM) must be appointed by resolution of the governing body.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan that the following individuals are hereby appointed as Deputy OEM Coordinators for a one-year term effective January 1, 2018:

Frank Veneziale  
Tony Veneziale  
Chris Wilt  
Nick Tsentas  
Daniel "DJ" Wright  
Don Gootee

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Mayor Gilbert read Resolution #17-305 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-305.

Motion by Mangin, seconded by Chen

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-305**

**AUTHORIZING THE PURCHASE OF A 2017 OR NEWER BOMAG BW138AD-5  
VIBRATORY TANDEM ROLLER IN THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the Township of Raritan is in need of an additional vibratory roller for the Department of Public Works; and

**WHEREAS**, Jesco of 118 Saint Nicholas Ave., South Plainfield, NJ 07080 has been awarded contract #MRESC 15/16-08 Grounds Equipment, CO-OP #65 MCESCCPS through Educational Services Commission of New Jersey Cooperative System (ESCNJ); and

**WHEREAS**, the Superintendent of Public Works recommends the purchase of one 2017 or newer Bomag BW138AD-5 Vibratory Tandem Roller under ESCNJ Contract #MRESC 15/16-08 Grounds Equipment, CO-OP #65; and

**WHEREAS**, the cost of this will be at the bid price as documented by ESCNJ and appropriated through Ordinance #17-32 for the amount of \$54,374.20; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of funds #17-19 for the purchase of said roller.

**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 procurement of one 2017 or newer Bomag BW138AD-5 Vibratory Tandem Roller will be purchased through Jesco, of 118 Saint Nicholas Ave., South Plainfield, NJ 07080 at the sum of \$54,374.20.

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Mayor Gilbert read Resolution #17-306 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-306.

Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, Reiner, Mayor Gilbert

**NOES:** O'Brien

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-306**

**AUTHORIZING THE PURCHASE OF A 2018 FORD F250 SUPER CAB GAS 4X4 PICK-UP TRUCK IN THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the Township of Raritan is in need of an additional pick-up truck for the Department of Public Works; and

**WHEREAS**, DFFLM, LLC, T/A Ditschman/Flemington Ford, 215 US Highway 202 Flemington, NJ 08822 has been awarded contract #15-C Utility Vehicles (2018 or newer Models) through the Morris County Cooperative Pricing Council (MCCPC); and

**WHEREAS**, the Superintendent of Public Works recommends the purchase of one 2018 or newer Ford F250 Super Cab 4x4 Gas Pick-up truck under MCCPC Contract #15-C, item #9; and

**WHEREAS**, the cost of this will be at the bid price as documented by the MCCPC and appropriated through Ordinance #17-32 for the amount of \$30,000.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of funds #17-20 for the purchase of said truck.

**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 procurement of one new 2018 or newer Ford F250 Super Cab 4x4 Gas Pick-up truck will be purchased through DFFLM, LLC, T/A Ditschman/Flemington Ford, 215 US Highway 202 Flemington, NJ 08822 for the sum of \$30,000.00

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Mayor Gilbert read Resolution #17-308 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-308.

Motion by Mangin, seconded by Chen

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-308**

**AUTHORIZING THE PURCHASE OF A 2017 OR NEWER TORO INFIELD PRO 5040, UNIT, 08705 IN THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the Township of Raritan is in need of a new Toro Infield Pro for the Department of Public Works; and

**WHEREAS**, Storr Tractor of 3191 U.S. Highway 22, Branchburg, NJ 08876 has been awarded contract #MRESC 15/16-08 Grounds Equipment, CO-OP #65 MCESCCPS through Educational Services Commission of New Jersey Cooperative System (ESCNJ); and

**WHEREAS**, the Superintendent of Public Works recommends the purchase of one 2017 or newer Toro Infield Pro 5040, Unit 08705 under ESCNJ Contract #MRESC 15/16-08 Grounds Equipment, CO-OP #65; and

**WHEREAS**, the cost of this will be at the bid price as documented by ESCNJ and appropriated through Ordinance #17-32 for the amount of \$28,568.20; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of funds #17-21 for the purchase of said equipment.

**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 procurement of one 2017 or newer Toro Infield Pro 5040, Unit 08705 will be purchased through Storr Tractor of 3191 U.S. Highway 22, Branchburg, NJ 08876 at the sum of \$28,568.20.

Mayor Gilbert read Resolution #17-314 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-314.

Motion by Chen, seconded by Mangin

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-314**

**AUTHORIZING THE PURCHASE OF A 2017 OR NEWER TORO GROUNDMASTER 4000-D MOWER IN THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the Township of Raritan is in need of a new Toro Groundsmaster 4000-D Mower for the Department of Public Works; and

**WHEREAS**, Storr Tractor of 3191 U.S. Highway 22, Branchburg, NJ 08876 has been awarded contract #MRESC 15/16-08 Grounds Equipment, CO-OP #65 MCESCCPS through Educational Services Commission of New Jersey Cooperative System (ESCNJ); and

**WHEREAS**, the Superintendent of Public Works recommends the purchase of one 2017 or newer Groundsmaster 4000-D 30609 under ESCNJ Contract #MRESC 15/16-08 Grounds Equipment, CO-OP #65; and

**WHEREAS**, the cost of this will be at the bid price as documented by ESCNJ and appropriated through Ordinance #17-32 for the amount of \$62,049.80; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of funds #17-22 for the purchase of said equipment.

**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 procurement of one 2017 or newer Toro Groundsmaster 4000-D 30609 Mower will be purchased through Storr Tractor of 3191 U.S. Highway 22, Branchburg, NJ 08876 for the sum of \$62,049.80

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Mayor Gilbert read Resolution #17-315 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-315.

Motion by Reiner, seconded by Mayor Gilbert

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RECUSE:** Mangin

During the vote, Committee Member O'Brien pointed out that this was paid for with cash out of the capital fund and not borrowed for, so "yes."

**RESOLUTION #17-315**

**AUTHORIZING THE PURCHASE OF A FORD F250 CREW CAB 4X4 GAS PICK UP TRUCK FOR USE AS A COMMAND VEHICLE FOR THE RARITAN TOWNSHIP FIRE COMPANY**

**WHEREAS**, the Raritan Township Fire Company is in need of a Command Vehicle; and

**WHEREAS**, DFFLM, LLC, T/A Ditschman/Flemington Ford, 215 US Highway 202, Flemington, New Jersey 08822 has been awarded Contract #15-C, Utility Vehicles, Item #10 through the Morris County Cooperative Pricing Council; and

**WHEREAS**, the Township of Raritan is a member of the Morris County Cooperative Pricing Council (MCCPC); and

**WHEREAS**, the cost of the Ford F250 Crew Cab 4x4 Gas Pickup Truck under Item #10 of the MCCPC, including options, is \$32,805.25; and

**WHEREAS**, the Township of Raritan has appropriated the funds for this purchase through Ordinance 17-39 in the amount of \$65,000.00; and

**WHEREAS**, the Raritan Township Fire Company has also provided funds in the amount of \$4,000.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through the Certificate of Availability of Funds # 17-24 attached to this resolution.

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, authorizes the purchase of a Ford F250 Crew Cab 4x4 Gas Pickup Truck for use as a Command Vehicle for the Raritan Township Fire Department through DFFLM, LLC, T/A Ditschman/Flemington Ford, 215 US Highway 202, Flemington, New Jersey, 08822 for the sum of \$32,805.25.

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Mayor Gilbert read Resolution #17-301 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-301.

Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-301**

**AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT  
FOR GASB 45 ACTUARIAL SERVICES  
TO AON CONSULTING WORLDWIDE, INC.**

**WHEREAS**, there exists a need for professional services for GASB 45 Actuarial Services for the year as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

**WHEREAS**, the Chief Financial Officer recommends that AON Consulting Worldwide, Inc. be retained for GASB 45 Actuarial Services for a term of one year beginning December 19, 2017; and **WHEREAS**, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law (N.J.S.A. 40A:11-11 et seq.) exempts such professional services from competitive bidding; and

**WHEREAS**, prior to the execution of a contract, AON Consulting Worldwide, Inc. will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger has made any reportable contributions to a political party or candidate for the Township Committee of the Township of Raritan in the previous year, and that the contract will prohibit any individual with a 10% interest or larger in AON Consulting Worldwide, Inc., from making any reportable contributions through the term of the contract, however, this not to be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during calendar year 2016, pursuant to N.J.S.A. 19:44A-20.4, et seq.; and

**WHEREAS**, this was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #17-23 for such professional actuarial services.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan as follows:

1. The Township of Raritan will enter into a contract with AON Consulting Worldwide, Inc., for a one-year term effective December 19, 2017.

2. That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.

3. The Business Disclosure Entity Certification shall be placed on file with this resolution.

4. The fees to be paid for such services not to exceed \$8,000.00.

5. A notice of this resolution shall be published in an official newspaper of the Township and in accordance with the Local Public Contracts Law.

Mayor Gilbert read Resolution #17-316 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-316.

Motion by Chen, seconded by Reiner

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-316**

**A RESOLUTION AUTHORIZING 2017 BUDGET TRANSFER #4  
(UNFUNDED)**

**WHEREAS**, N.J.S.A. 40A:4-58 of the Local Budget Law provides for the transfer of funds from appropriations deemed to have an excess, to appropriations where sufficient balances are not available to fulfill the purpose of the appropriation to the end of the fiscal year, providing that no transfers may be made to appropriations for contingent expenses or deferred charges, and no transfers may be made from appropriation for contingent expenses, deferred charges, cash deficit of the preceding year, reserve for uncollected taxes, down payments, capital improvements fund and debt service; and

**WHEREAS**, N.J.S.A. 40A:4-45a and 45.38 of the Budget Law restrict transfers from appropriations excluded from the Cap Law to appropriations within the Cap Law and also between appropriations excluded from the Cap Law except that transfers may be made to debt service;

**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 transfers are authorized between appropriations in the 2017 budget and that a certified copy of this resolution adopted by **not less than a two-thirds (2/3) vote of the full membership of the governing body** be transmitted to the Administrator and Chief Financial Officer.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Social Security	Utilities	\$ 8,000.00
Legal Services OE	Utilities	\$12,000.00
 Total		 \$20,000.00

Mayor Gilbert read Resolution #17-320 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-320.

Motion by Reiner, seconded by Mangin

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** O'Brien

**ABSENT:** None

**RESOLUTION #17-320**

**A RESOLUTION AUTHORIZING 2017 BUDGET TRANSFER #5  
(UNFUNDED)**

**WHEREAS**, N.J.S.A. 40A:4-58 of the Local Budget Law provides for the transfer of funds from appropriations deemed to have an excess, to appropriations where sufficient balances are not available to fulfill the purpose of the appropriation to the end of the fiscal year, providing that no transfers may be made to appropriations for contingent expenses or deferred charges, and no transfers may be made from appropriation for contingent expenses, deferred charges, cash deficit of the preceding year, reserve for uncollected taxes, down payments, capital improvements fund and debt service; and

**WHEREAS**, N.J.S.A. 40A:4-45a and 45.38 of the Budget Law restrict transfers from appropriations excluded from the Cap Law to appropriations within the Cap Law and also between appropriations excluded from the Cap Law except that transfers may be made to debt service;

**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 transfers are authorized between appropriations in the 2017 budget and that a certified copy of this resolution adopted **by not less than a two-thirds (2/3) vote of the full membership of the governing body** be transmitted to the Administrator and Chief Financial Officer.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Police S & W	Snow Removal S & W	\$ 5,000.00
Legal Services OE	Snow Removal OE	\$ 5,000.00
Construction OE	Snow Removal OE	\$10,000.00
Elections	Snow Removal OE	\$ 2,000.00
Planning OE	Snow Removal OE	\$ 2,000.00
Zoning OE	Snow Removal OE	\$ 2,000.00
Engineering OE	Snow Removal OE	\$ 2,000.00
	Total	\$28,000.00

Mayor Gilbert read Resolution #17-318 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-318.

Motion by Mangin, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, Mayor Gilbert

**NOES:** Reiner

**ABSTAIN:** O'Brien

**ABSENT:** None

**RESOLUTION #17-318**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
AN AGREEMENT BETWEEN THE TOWNSHIP OF RARITAN  
AND THE RARITAN TOWNSHIP MUNICIPAL UTILITIES AUTHORITY**

**WHEREAS**, the Township Committee of the Township of Raritan (“Township”) has, by way of Resolution 17-284, authorized allocation of sewer capacity for affordable housing at municipal property on Dayton Road, Block 63.14, Lot 23; and

**WHEREAS**, the Township Committee is desirous of entering into an agreement with the Raritan Township Municipal Utilities Authority (RTMUA) for the use of this sewer capacity for affordable housing purposes; and

**WHEREAS**, the Township Attorney has negotiated such an agreement, attached herein as Exhibit “A;” and

**WHEREAS**, the Township Committee has reviewed this agreement and found same acceptable.

**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 following:

1. The Mayor of the Township of Raritan is authorized to execute the agreement between the Township and the RTMUA attached herein as Exhibit “A.”

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Mayor Gilbert read Resolution #17-317 by title.

Committee Members and Chief Tabasko expressed gratitude and appreciation for Committee Member Chen’s efforts in serving as part of the Township Committee and wished him well in future endeavors.

Mayor Gilbert asked for a motion to adopt Resolution #17-317.

Motion by O’Brien, seconded by Reiner

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-317**

**RESOLUTION HONORING RICHARD CHEN  
FOR HIS SERVICE AS TOWNSHIP COMMITTEEMAN**

**WHEREAS**, on this 19<sup>th</sup> day of December, 2017, the Township Committee wishes to acknowledge the contributions of Committeeman, Richard Chen; and

**WHEREAS**, Richard Chen was first elected to the Township Committee in Two Thousand and Fifteen and has served the community for three years; and

**WHEREAS**, during his time in office, he played a significant role in advancing the Township's Information Technology system; worked tirelessly to establish a Deer Management Program; and was a strong advocate for the construction and maintenance of Township facilities, roads and open space amenities; and

**WHEREAS**, it is truly appropriate for the Township Committee to recognize Richard Chen as an outstanding individual for his efforts and contributions to the residents of Raritan Township.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Township Committee, of the Township of Raritan, County of Hunterdon, State of New Jersey hereby express heartfelt gratitude and appreciation for the time, effort and commitment that Richard Chen has exemplified during his term as a member of the Township Committee. He has demonstrated characteristics of citizenship, public service and devotion to his community that are in keeping with the highest traditions of our republic.

**BE IT FURTHER RESOLVED**, that the Mayor and the Township Committee, the staff and all the citizens of Raritan Township wish Richard Chen best wishes for success and fulfillment in his future endeavors.

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### **Raritan Township Fire Company Applications**

Mayor Gilbert asked for a motion to approve Fire Company Application for Dean Stafford.

Motion by Reiner, seconded by Mayor Gilbert

**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 Fire Company Application for Alexandra Pietrucha.

Motion by Reiner, seconded by Mayor Gilbert

**ROLL CALL VOTE:**

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

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### **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.

At this time, Committee Members requested that Resolutions Item 16e Authorizing the Employment of Chris Wilt as Fire Prevention Inspector; Item 16f Authorizing the Employment of Steven Barrett in the Public Works Department; Item 16g Authorizing Payment Estimate #1 and Final and Change Order #1 with AWT Environmental Services, Inc. for Police Department Refueling Area Remediation; and Item 16i Providing for the Insertion of Any Special Item of Revenue in the Budget of an County or Municipality Pursuant to N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1985) 2015 NJDEP Recycling Tonnage Grant be removed from the consent agenda for further consideration.

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Mayor Gilbert read the following resolutions by title.

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

Motion by Mangin, seconded by Reiner

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

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**RESOLUTION #17-302**

**AUTHORIZING FOURTH QUARTER 2017 TAX REFUNDS**

**WHEREAS**, the Township Tax Collector has recommended the refund of overpayments; 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 receive a refund in the amount specified due to duplicate payments for Fourth Quarter, 2017 taxes.

<u><b>Taxpayer</b></u>	<u><b>Amount</b></u>	<u><b>Block</b></u>	<u><b>Lot</b></u>
<b>CORELOGIC</b>			
Weatherford, James R & Sharon K 8 Cherryville-Stanton Road	\$376.58	3	4.04
Olsavsky, Peter & Jana 17 Rolin's Mill Road	\$209.82	5	17.08
McMorrow, Leah & Brendan 3 Brookside Terrace	\$284.49	6.07	38
Apanovitch, Anne Marie 46 Kentworth Court	\$928.74	18.02	65

Holloran, Michele E 47 Cummington Lane	\$442.60	18.03	23
Hilgen, David T & Janice R 37 New York Avenue	\$256.67	32	1
Mentuck, Justin & Courtney Dameron 11 Mill Brook Road	\$276.60	36	54.01
Zhao, Qin & Chunxin Xia 5 Blossom Lane	\$376.18	45.03	4
Sibhatu, Mebrahtu & Ferwoine Fshaye 89 Saxonney Circle	\$449.60	71.13	2
Mustafa, Moonis & Nida Syed 25 Holly Court	\$948.86	72.01	48
Frycki, Dawn M 17 Elm Terrace	\$107.92	72.07	17
Yalenti, Jonathan & Jeanne 28 Elm Terrace	\$937.78	72.07	28
Becker, Lisa 282 Spruce Court	\$1,466.47	72.08	1 (C0282)
Flynn, Jessica & Ryan Fisher 11 Krenkel Court	\$104.07	72.10	42
Brown, Ryan & Sun Min Lee 13 Cedar Court	\$1,368.58	72.11	10
Patrocinio, Jr. Frederick & Lisa D 22 Plennert Road	\$414.51	78	3.03
Fisher, Albert T Jr. 32 Country Club Drive	<u>\$455.15</u>	84.01	1
<b>TOTAL:</b>	<b>\$9,404.62</b>		

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**LERETA**

Kachmarik, Vadim & Yelena Belkina 48 Surrey Lane	\$443.25	53.06	61
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Ames, David A & Heidi A 3 Marys Court	<u>\$435.86</u>	73	19.24
<b>TOTAL:</b>	<b>\$879.11</b>		

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**WELLS FARGO**

Yildiz, Mustafa E & Michelle Hanh 11 Cross Creek Drive	\$859.97	7	22.08
Rhoads, Jonathan & Christie 7 Beehive Lane	\$879.06	63.11	13
Schmidt, Stanley G & Miriam D 4 Indian Plantation Street	\$191.50	71.24	26 (C0004)
Merritt, Larissa & Joseph Gall 7 Kenner Court	<u>\$286.53</u>	72.10	4
<b>TOTAL:</b>	<b>\$2,217.06</b>		

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**RESOLUTION #17-303**

**AUTHORIZING THE RETURN OF A BOND POSTED  
FOR A SOLICITOR'S PERMIT**

**WHEREAS**, Quality Home Exteriors posted a \$500.00 bond July 13, 2017 as part of an application for a Solicitor's permit; and

**WHEREAS**, the application was denied by the Raritan Township Police Department; and

**WHEREAS**, Quality Home Exteriors has requested the return of said bond.

**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 \$500 bond posted by Quality Home Exteriors is hereby returned.

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**RESOLUTION #17-304**

**AUTHORIZING THE RETURN OF DEVELOPER'S ESCROW (MBI)**

**WHEREAS**, MBI has requested the return of its Developer's Escrow; and

**WHEREAS**, Kristi Gano, Payroll/HR Coordinator, has submitted a memo dated December 6, 2017 and recommended the return of the following Developer's Escrow:

MBI                                      SP-424-PF                                      \$125.47

**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 Developer's Escrow in the amount of \$125.47 posted by MBI is hereby refunded.

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**RESOLUTION #17-307**

**AUTHORIZING THE RENEWAL OF THE MUNICIPAL ALLIANCE APPLICATION FOR GRANT YEAR JULY 1, 2018 TO JUNE 30, 2019**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and

**WHEREAS**, the Township Committee further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuse in our community; and

**WHEREAS**, the Township Committee has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Hunterdon.

**NOW, THEREFORE, BE IT RESOLVED** that the Township of Raritan, County of Hunterdon, State of New Jersey, hereby recognizes the following:

1. The Township Committee does hereby authorize submission of a strategic plan for the Central Hunterdon Municipal Alliance grant for fiscal year 2019 in the amount of:

DEDR:	\$31,844.00
Cash Match:	\$ 7,961.00
In-Kind:	\$23,883.00

2. The Township Committee acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

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**RESOLUTION #17-312**

**AUTHORIZING REDUCTION IN SURETY AND CASH PERFORMANCE GUARANTEES FOR WILLOWS AT FLEMINGTON JUNCTION, LLC (INGERMAN)**

**WHEREAS**, Flemington Junction, LLC originally posted a cash performance bond in the amount of \$210,268.38 and a surety bond in the amount of \$1,892,415.42; and

**WHEREAS**, Flemington Junction, LLC requested a reduction of its cash and surety bonds in November, 2016; and

**WHEREAS**, the Township Committee authorized the reduction of the cash performance bond to \$117,386.52 and the surety bond to \$1,056,478.68 November 14, 2016; and

**WHEREAS**, Flemington Junction, LLC has requested a second reduction of its cash and surety bonds as a result the completion of improvements; and

**WHEREAS**, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends a reduction of the cash performance bond to \$63,080.51 and a reduction in the surety bond to \$567,724.63; and

**WHEREAS**, the cash performance amount to be released to Flemington Junction, LLC is \$54,306.01.

**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 is reduced to \$63,080.51; the surety bond is reduced to \$567,724.63; and \$54,306.01 of the cash performance bond is hereby released to Flemington Junction, LLC.

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**RESOLUTION #17-321**

**AUTHORIZING THE RETURN OF ESCROW  
FOR OFF-TRACT IMPROVEMENTS  
(MAGNA-POWER ELECTRONICS)**

**WHEREAS**, Magna-Power Electronics (also known as BGA Properties) has requested a refund of its escrow posted for Off-Tract Improvements for a traffic light at the intersection of Church Street and Royal Road; and

**WHEREAS**, Tony Hajjar, Township Engineer, has submitted a memo dated December 12, 2017, and recommended the refund of such escrow in the amount of \$16,917.80.

**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 escrow posted in the amount of \$16,917.80 by Magna-Power Electronics (also known as BGA Properties) is hereby refunded.

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**RESOLUTION #17-322**

**AUTHORIZING THE RENEWAL OF THE SOMERSET COUNTY  
JOINT INSURANCE FUND MEMBERSHIP**

**WHEREAS**, the **Township of Raritan** is a member of the SOMERSET COUNTY JOINT INSURANCE FUND (hereinafter the "FUND"); and

**WHEREAS**, effective December 31, 2017, said membership will expire unless earlier renewed; and

**WHEREAS**, The **Township of Raritan** desires to renew said membership.

**WHEREAS**, the **Township of Raritan**, is afforded the following types of coverages:

- Commercial General Liability Insurance, including Law Enforcement Liability & Emergency Responder Liability; Employee Benefits Liability
- Automobile Liability Insurance
- Workers' Compensation and Employer's Liability
- Property, Inland Marine, Mobile Equipment, Boiler & Machinery, and Automobile Physical Damage (specified & scheduled vehicles)
- Educator's Legal Liability or Public Entity Liability & Employment Practices Liability
- Non-Owned Aircraft Liability (specified & scheduled drones)
- Crime Coverage
- Pollution Coverage
- Student Blanket and Educator's Medical Professional Liability, if applicable

**NOW, THEREFORE BE IT RESOLVED** as follows:

1. **Township of Raritan** hereby renews its membership in the FUND for a three (3) year period, beginning January 1, 2018 and ending December 31, 2020.
2. **Township of Raritan** hereby ratifies and reaffirms the Indemnity and Trust Agreement, By-Laws and other organizational and operational documents of the FUND as from time to time may be amended by the FUND and/or the Department of Banking and Insurance in accordance with the applicable statutes and administrative regulations as if each and every one of said documents were re-executed contemporaneously herewith.
3. **Township of Raritan** agrees to be a participating member of the FUND for the period herein provided for and to comply with all of the rules and regulations and obligations associated with said membership.
4. **Township of Raritan** agrees that as a member of the FUND the **Township of Raritan** must purchase all types of coverages offered by the FUND which are applicable to the **Township of Raritan**.

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Mayor Gilbert advised that discussion will be continued in closed session regarding Resolution Item 16e authorizing the employment of Chris Wilt as Fire Prevention Inspector.

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Mayor Gilbert read Resolution #17-310 by title.

Committee Member O'Brien requested that resolutions authorizing employment be considered separate from the Consent Agenda.

Mayor Gilbert asked for a motion to adopt Resolution #17-310.  
Motion by Chen, seconded by Mangin

**ROLL CALL VOTE:**

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

**RESOLUTION #17-310**

**AUTHORIZING THE EMPLOYMENT OF STEVEN BARRETT  
IN THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, there exists a vacancy in the Department of Public Works for the position of Public Works Personnel; and

**WHEREAS**, Superintendent of Public Works, Brion Fleming, has interviewed prospective candidates and made a recommendation to Administrator, Donald Hutchins; and

**WHEREAS**, Administrator, Donald Hutchins, recommends Steven Barrett for the position of Department of Public Works Personnel.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that Steven Barrett is hereby employed as Department of Public Works Personnel effective January 2, 2018 at the hourly rate of \$20.07 as set forth in the Teamsters Local 469 Contract.

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Mayor Gilbert read Resolution #17-311 by title.

Mr. Hajjar clarified that the proposed resolution authorizes a change order for the remediation work of the Police Department refueling area. Mr. Hajjar advised that the change order is a reduction of \$60,000 in the contract price.

Committee Member O'Brien requested tighter estimating on projects.

Mayor Gilbert asked for a motion to adopt Resolution #17-311.

Motion by Mangin, seconded by Reiner

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-311**

**RESOLUTION AUTHORIZING PAYMENT ESTIMATE #1 AND FINAL AND CHANGE  
ORDER #1 WITH AWT ENVIRONMENTAL SERVICES, INC. FOR POLICE DEPARTMENT  
REFUELING AREA REMEDIATION**

**WHEREAS**, a contract was awarded on September 19, 2017 for remediation services of the refueling area of the Police Department; and

**WHEREAS**, the project was awarded to AWT Environmental Services, Inc., P.O. Box 128, Sayreville, New Jersey in the amount of \$339,063.20; and

**WHEREAS**, the Township Engineer recommends Change Order #1, which decreases the total contract amount by \$60,623.26, be approved by the Township Committee for the reasons outlined in the memorandum dated December 11, 2017.

**NOW, THEREFORE BE IT RESOLVED**, on this 19<sup>th</sup> day of December, 2017 by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey:

1. That Change Order #1 representing a decrease in the amount of \$60,623.26 be and is hereby approved with respect to the contract for remediation services of the refueling area at the Police Department.
2. That the amount of all Change Orders be a 17.88% decrease to the total contract amount for a new contract amount with AWT Environmental Services, Inc. of \$278,439.94.

**BE IT FURTHER RESOLVED** that a copy of this Change Order shall be affixed and made part of this resolution and that a certified copy be sent to AWT Environmental Services, Inc.

---

Mayor Gilbert read Resolution #17-319 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-319.

Motion by Reiner, seconded by Mangin

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-319**

**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) 2015 NJDEP RECYCLING TONNAGE 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 \$48,971.86 from the Department of the Treasury for 2015 Recycling Tonnage Grant 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 \$48,971.86 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:

2015 Recycling Tonnage Grant

**BE IT FURTHER RESOLVED** that a like sum of \$48,971.86 is hereby appropriated under the caption of:

- General Appropriations
  - (a) Operations Excluded from Caps
    - Public and Private Programs Off-Set by Revenues:
      - 2015 Recycling Tonnage Grant
      - 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.

---

### **PRIVILEGE OF THE FLOOR**

The following members of the public spoke during public comment.

**Mark Peters**, a resident of 23 Timberwick Drive, commented on the poor road condition at the intersection of Route 31 and Sand Hill Road and inquired about Township involvement in seeking help from the State.

**Barbara Sachau**, a resident of 2 Glenway Drive, inquired about the status of the cable franchise.

**Maria Jablonski**, a resident of 7 Fieldstone Place, expressed concerns about proposed State regulations regarding beekeepers and inquired as to Township support regarding this matter.

During Public Comment, Mr. Lehrer advised that he would follow up regarding the Comcast cable franchise agreement and advise accordingly. Mr. Lehrer reported that his colleague, Ed Purcell, is working on the beekeeper regulation issue pro bono and suggested that Ms. Jablonski contact Mr. Purcell directly. Mr. Hutchins advised that Mr. Purcell's suggested comments have been forwarded to the Agriculture Advisory Board and Environmental Commission for review. Mr. Lehrer advised that authorization from the Township Committee is necessary to issue responsive comments to the State by the January 19, 2018 deadline.

---

Mayor Gilbert asked for a motion to adjourn regular meeting and reconvene closed session.  
Motion by Reiner, seconded by Chen  
**MOTION UNANIMOUSLY CARRIED**

---

Closed session reconvened at 9:19 p.m.

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***CLOSED SESSION MINUTES #2 ARE COMPLETED IN A SEPARATE DOCUMENT***

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The regular meeting reconvened at 10:18 p.m.

---

Mayor Gilbert read Resolution #17-309 by title.  
Mayor Gilbert asked for a motion to adopt Resolution #17-309.  
Motion by Reiner, seconded by Mangin

**ROLL CALL VOTE:**

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

**RESOLUTION #17-309**

**RESOLUTION AUTHORIZING THE EMPLOYMENT OF  
CHRIS WILT AS FIRE PREVENTION INSPECTOR**

**WHEREAS**, there is a vacancy in the position of full-time Fire Prevention Inspector; and  
**WHEREAS**, the Mayor and Township Committee of the Township of Raritan desire to fill this position; and

**WHEREAS**, the Township Administrator and Fire Official, Dennis Concannon, have conducted interviews and recommend that Chris Wilt be employed as full-time Raritan Township Fire Prevention Inspector.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan, in the County of Hunterdon, State of New Jersey, that Chris Wilt is hereby employed as full-time Raritan Township Fire Prevention Inspector at a salary of \$48,000.00 effective December 20, 2017.

---

**ADJOURNMENT**

Mayor Gilbert asked for a motion to adjourn regular meeting and reconvene closed session.  
Motion by Reiner, seconded by Chen  
**MOTION UNANIMOUSLY CARRIED**

Meeting adjourned at 10:20 p.m.

Respectfully submitted,

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Lisa Fania, RMC  
Township Clerk

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING  
RARITAN TOWNSHIP MUNICIPAL BUILDING  
TUESDAY, APRIL 3, 2018**

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**MEETING CALLED:** Mayor Mangin called the regular meeting to order at 6:35 p.m.

**ROLL CALL:** The following were present: Mayor, Michael Mangin; Deputy Mayor, Karen Gilbert; Comm. Gary Hazard; Comm. Louis Reiner (arrived at 6:45 p.m.)

**ABSENT:** Comm. Craig O'Brien

**ALSO PRESENT:** Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Police Captain, Kevin Donovan; Township Attorney, Jeffrey Lehrer

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

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Township Attorney Lehrer read Resolution #18-80 in full.

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

**ROLL CALL VOTE:**

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

**RESOLUTION #18-80**

**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: RTMUA Appointments

- c) Attorney-Client Privilege: Township of Raritan Affordable Housing Scarce Resource Motion Threatened, Raritan Town Square
- d) Pending Litigation:

It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.

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

---

***CLOSED SESSION MINUTES WILL BE DONE IN A SEPARATE DOCUMENT***

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The regular meeting reconvened at 7:01 p.m.

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**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:** Mayor Mangin asked all to join in the Pledge of Allegiance to our flag and to remain standing for a moment of silence to remember our men and women serving in the Armed Forces and in particular those serving in troubled areas around the world.

---

**AMEND/APPROVE THE AGENDA**

Mayor Mangin asked for any amendments to the Agenda.

Deputy Mayor Gilbert advised of two additional items to the scheduled agenda, a discussion regarding an appointment to the RTMUA and a 2018 budget update based on consensus determined during closed session.

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

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

---

**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.

**Barbara Sachau**, a resident of 2 Glenway Drive, inquired about the \$1,400 compensation for RTMUA members and expressed concern regarding the health and environmental impacts of calcium chloride and brine used for snow removal.

Mayor Mangin and Deputy Mayor Gilbert addressed Ms. Sachau's inquiries advising that the compensation had been reduced from \$2,200 to \$1,400 and that RTMUA members are paid by the RTMUA and not the Township.

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## FINANCIAL ISSUES

Payment of Bills as listed for **Raritan Township: \$858,139.86**

Mayor Mangin asked for a motion to approve the bill list for Raritan Township.  
Motion by Gilbert, seconded by Hazard

### ROLL CALL VOTE:

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

---

Payment of Bills as listed for **Raritan Township Fire Company: \$49,652.58**

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

Motion by Reiner, seconded by Hazard

### ROLL CALL VOTE:

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

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## REPORTS

The following staff reports were acknowledged by the Township Committee:

\*Public Works – Snow Removal Costs – March 21-22, 2018

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## LIAISON REPORTS

- Karen Gilbert: Finance; Historian; Open Space; Parks and Recreation; Planning Board (Class III Member)  
Deputy Mayor Gilbert announced that meetings were cancelled for the Open Space Advisory and Parks and Recreation Committees and the Planning Board; and reported on a meeting of the Local Historians Committee.
- Gary Hazard: Court/Police; RTMUA  
No report.
- Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Public Works; Wildlife Management Advisory Committee  
Committee Member Reiner commended and thanked OEM, Fire, Rescue and Police for their outstanding efforts during the past storms.
- Michael Mangin: Board of Health; Finance; Personnel; Planning Board (Class I Member)  
Mayor Mangin reported that 2018 budget discussions are underway and thanked Administrator Hutchins and CFO Pandos for their preparation efforts and reiterated that the Planning Board meeting was cancelled.

During Liaison Reports, Deputy Mayor Gilbert inquired as to the deadline for Committee Member O'Brien to advise on whether he will accept responsibility as liaison to the Environmental Commission/Green Team. Deputy Mayor Gilbert commented that the Environmental Commission had changed their meeting date to the first and third Tuesday of each month at 7:30 p.m., which is the same night as Township Committee meetings. Deputy Mayor Gilbert advised that the change in meeting date was due to the lack of the commission obtaining a quorum. Deputy Mayor Gilbert continued that whomever assumes responsibility as liaison to the commission will not be able to attend the meetings and therefore will only need to obtain updates and report accordingly.

Mr. Hutchins stated that Committee Member O'Brien is to advise on his availability as liaison to the Environmental Commission at the April 17, 2018 meeting, as that is the 90-day deadline from the January 16, 2018 meeting for which the assignment was initially discussed.

Mr. Hutchins also announced the upcoming date for free tree seedling distribution, Saturday, April 21, 2018, 2 p.m. to 7 p.m. at Echo Hill Park, 42 Lilac Drive, Flemington.

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## UNFINISHED BUSINESS

**2018 Budget Update** – Mr. Hutchins provided an update on the 2018 municipal budget regarding the impact of the Township's net valuation. Mr. Hutchins explained that the net valuation is down by almost \$2 million this year vs. last year resulting in a .74% tax increase. Mr. Hutchins continued that funds are available from capital fund balance and healthcare which will result in a .5% tax increase.

Mayor Mangin commented that the increase in the tax rate is about one-half of one percent, which for the average home assessed at \$400,000, equates to about a \$13.80 annual increase.

Committee Member Reiner announced that the Township's net debt reduction will be \$300,000 and expressed that he was very happy with this information.

Mr. Hutchins further commented that there has been no decrease in services, personnel, or operating expenses necessary to perform all of the duties and functions; and that a good compliment of capital programs is in place as well.

Mayor Mangin announced that the 2018 municipal budget introduction will be Friday, April 6, 2018 at 8:00 a.m.

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**Hampton Corner Road Update** – Mayor Mangin provided an update regarding the Hampton Corner Road project advising that costs are lower than anticipated. Mr. Hutchins added that the cost of the project has decreased by \$80,000 and that only an additional \$55,000 is needed, however, for contingency purposes, \$100,000 will be budgeted.

Mayor Mangin also announced that the Township has been informed by the County Engineer that the County will fund the repair of both the road and the bridge resulting in less of a tax burden and expediency of the project.

Mayor Mangin solicited public comment.

The following members of the public spoke during public comment:

**Dennis Loh**, a resident of 29 Country Club Drive, asked about the impact of the lack of cooperation by one property owner on the project and what led to the reduced engineering costs.

Mr. Hutchins commented that reduced engineering costs have resulted from the fact that the County is funding the repair of both the bridge and the road and that the goal is to design the project so there is no impact to the property owner regarding eminent domain. He added that the initial issue had to do with the amount of property potentially impacted.

Committee Member Reiner inquired about delays to the project if the Township is forced to initiate eminent domain. Mr. Lehrer spoke of options regarding eminent domain and advised that such could result in a delay of three (3) to four (4) months.

Mr. Hutchins announced the scheduled meeting date with the NJDEP, April 11, 2018.

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## **NEW BUSINESS**

**Appointment of John Tully to the Raritan Township Municipal Utilities Authority (RTMUA)** – Committee Member Hazard advised that interviews were conducted regarding the two (2) vacancies on the RTMUA. Committee Member Hazard explained that there are only three (3) members presently on the RTMUA which poses a challenge for conducting business.

Committee Member Hazard recommended the appointment of John Tully as Commissioner to the RTMUA; Mr. Hutchins concurred the same.

Motion by Hazard, seconded by Reiner to proceed with the appointment of John Tully to the RTMUA.

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** O'Brien

Appointment to be ratified and confirmed by resolution at the April 17, 2018 regular meeting.

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**ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)**

Mayor Mangin read by title Ordinance #18-11.

ORDINANCE REAPPROPRIATING \$60,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF A SPORT UTILITY VEHICLE FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Mangin asked for a motion to open public hearing.

Motion by Gilbert, seconded by Hazard

**MOTION UNANIMOUSLY CARRIED**

No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-11 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** O'Brien

**ORDINANCE ADOPTED**

Ordinance advertised March 26, 2018 The Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #18-11**

**ORDINANCE REAPPROPRIATING \$60,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF A SPORT UTILITY VEHICLE 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 \$60,000.00 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
#16-10	Soil/environmental remediation in area of Police Department, finally adopted 7/19/2016	\$60,000.00

Section 2. \$60,000.00 described in Section 1 hereof and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the acquisition of a sport utility vehicle for the Police Department.

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.

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Mayor Mangin read by title Ordinance #18-12.

AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF THE FORMER PENNSYLVANIA AVENUE IN THE TOWNSHIP OF RARITAN WHICH ABUTS LOT 100, BLOCK 27, LOTS 100 AND 42, BLOCK 27.02 AND LOT 21, BLOCK 36.02

Mayor Mangin asked for a motion to open public hearing.

Motion by Gilbert, seconded by Reiner

**MOTION UNANIMOUSLY CARRIED**

No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-12 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** O'Brien

**ORDINANCE ADOPTED**

Ordinance advertised March 26, 2018 The Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #18-12**

**AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF THE FORMER PENNSYLVANIA AVENUE IN THE TOWNSHIP OF RARITAN WHICH ABUTS LOT 100, BLOCK 27, LOTS 100 AND 42, BLOCK 27.02 AND LOT 21, BLOCK 36.02**

**WHEREAS**, there exists a Portion of the Former Pennsylvania Avenue Roadway in the Township of Raritan which abuts Lot 100, Block 27, Lots 100 and 42, Block 27.02 and Lot 21, Block 36.02, as shown on the Township of Raritan Tax Map (hereafter "Portion of the Former Pennsylvania Avenue Roadway"); and

**WHEREAS**, the Portion of the Former Pennsylvania Avenue Roadway is described in detail by a metes and bounds description entitled "Right-Of-Way Vacation Description" attached hereto as Exhibit "A" and consists of approximately 0.284 acres; and

**WHEREAS**, because the Portion of the Former Pennsylvania Avenue Roadway is not needed for street purposes, the Township Committee has decided to vacate same with certain conditions.

**NOW, THEREFORE, BE IT ORDAINED**, that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, does hereby ordain the following:

1. The Portion of the Former Pennsylvania Avenue Roadway is not needed for street purposes and the public interest will be better served by the release of the declared lands.
2. The rights of the public and the Township of Raritan in and to the Portion of the Former Pennsylvania Avenue Roadway are hereby released, extinguished and vacated.
3. Expressly reserved and excepted from this vacation Ordinance are all rights and privileges heretofore possessed by public utilities as defined in N.J.S.A. 48:2-13, any cable television company as defined in the "Cable Television Act," N.J.S.A. 48:5-1 et seq., and with the Township expressly reserving a utility easement through the vacated area. This utility easement includes, but is not limited to water, sewer, cable, telephone, gas and electric.
4. Subject to the reservations in this Ordinance, the Land being vacated shall accrue and revert back to Lot 100, Block 27, Lots 100 and 42, Block 27.02 and Lot 21, Block 36.02, as shown on the Township of Raritan Tax Map.

5. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6 and published at least ten (10) days prior to the public hearing.
6. The Township clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this ordinance certified by her under the seal of the Township, to be a true copy thereof, together with the proof of publication thereof, in the office of the clerk of the County of Hunterdon, in accordance with the provisions of N.J.S.A. 40:67-21.
7. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.
8. This Ordinance shall become effective upon final passage and publication according to law.

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**ORDINANCES (INTRODUCTION, FIRST READING)**

Mayor Mangin read by title Ordinance #18-13.

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

Mayor Mangin asked for a motion to introduce Ordinance #18-13 on first consideration.

Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** O'Brien

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for April 17, 2018.

---

Mayor Mangin read by title Ordinance #18-14.

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

Mayor Mangin asked for a motion to introduce Ordinance #18-14 on first consideration.

Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** O'Brien

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for April 17, 2018.

---

Mayor Mangin read by title Ordinance #18-15.

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

Mayor Mangin explained that the proposed ordinance authorizes the appointment of Township Committee members to serve on the RTMUA.

Mr. Lehrer proposed the following amending language: "individuals serving as Township Committee Members may be allowed to serve as members of the Municipal Utilities Authority." Mr. Lehrer explained that such language permits the ability of the governing body to appoint one or more members of the Township Committee to the RTMUA at will.

Mayor Mangin asked for a motion to introduce Ordinance #18-15 on first consideration as amended.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** O'Brien

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for April 17, 2018.

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**CORRESPONDENCE**

There was no correspondence.

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## **NON-CONSENT AGENDA**

### **Township Committee Regular Meeting Minutes**

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of August 15 and September 5, 2017.

Motion by Gilbert, seconded by Reiner

#### **ROLL CALL VOTE:**

**AYES:** Gilbert, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** Hazard

**ABSENT:** O'Brien

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of March 20, 2018.

Motion by Hazard, seconded by Reiner

#### **ROLL CALL VOTE:**

**AYES:** Gilbert, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** Hazard

**ABSENT:** O'Brien

---

### **Township Committee Special Meeting Minutes**

Mayor Mangin asked for a motion to approve the Special Meeting Minutes of August 15, 2017.

Motion by Reiner, seconded by Gilbert

#### **ROLL CALL VOTE:**

**AYES:** Gilbert, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** Hazard

**ABSENT:** O'Brien

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### **Township Committee Executive Meeting Minutes**

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of August 15 and September 5, 2017.

Motion by Gilbert, seconded by Reiner

#### **ROLL CALL VOTE:**

**AYES:** Gilbert, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** Hazard

**ABSENT:** O'Brien

At this time, Deputy Mayor Gilbert requested language on page 2, paragraph 5 be amended to read as follows: "Deputy Mayor Gilbert commented that the developer of Raritan Town Square assured the governing body that they could provide capacity for this project."

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of March 20, 2018 as amended.

Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

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

---

**Raritan Township Fire Company Application**

Deputy Mayor Gilbert asked for a motion to approve the application for Bradford Perry.

Motion by Reiner, seconded by Hazard

**ROLL CALL VOTE:**

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

---

**CONSENT AGENDA**

All matters listed on the Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

Mayor Mangin asked for a motion to adopt the Consent Agenda.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

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

---

**RESOLUTION #18-81**

**AUTHORIZING THE RETURN OF DEVELOPER'S ESCROW  
(FLEMINGTON FALCONS FOOTBALL)**

**WHEREAS**, Flemington Falcons Football has requested the return of its Developer's Escrow; and

**WHEREAS**, Kristi Gano, Payroll/HR Coordinator, has submitted a memo dated March 26, 2018 and recommended the return of the following Developer's Escrow:

Flemington Falcons Football	BOA-4-2009	\$92.18
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**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 Developer's Escrow in the amount of \$92.18 posted by Flemington Falcons Football is hereby refunded.

---

**RESOLUTION #18-82**

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

**WHEREAS**, Glenn Tabasko was custodian of the Police Department's Petty Cash Fund; and

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

**WHEREAS**, Kevin Donovan is bonded in the amount of \$25,000.00 by virtue of a surety bond.

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

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**PRIVILEGE OF THE FLOOR**

The following members of the public spoke during public comment:

**Barbara Sachau**, a resident of 2 Glenway Drive, requested that physical street addresses be included in ordinance titles referring to parcels.

During Public Comment, Mayor Mangin advised that parcel description in ordinance titles is required to be referenced as they are identified on the Tax map. It was the consensus that the Clerk include common street addresses in ordinance titles where applicable.

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**ADJOURNMENT**

Mayor Mangin asked for a motion to adjourn the meeting.

Motion by Reiner, seconded by Gilbert

**MOTION UNANIMOUSLY CARRIED**

Meeting adjourned at 7:50 p.m.

Respectfully submitted,

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Lisa Fania, RMC  
Township Clerk

161c.

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING  
RARITAN TOWNSHIP MUNICIPAL BUILDING  
TUESDAY, MARCH 20, 2018**

**AMENDED APRIL 11, 2018**

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

**ROLL CALL:** The following were present: Mayor, Michael Mangin; Deputy Mayor, Karen Gilbert (arrived at 6:35 p.m.); Comm. Gary Hazard; Comm. Craig O'Brien; Comm. Louis Reiner (arrived at 6:35 p.m.)

Also present were: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Police Chief, Glenn Tabasko; Police Captain, Kevin Donovan; Township Engineer, Antoine Hajjar; Township Attorney, Jeffrey Lehrer; Attorney, Ed Purcell

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

Township Attorney Lehrer read Resolution #18-70 in full.

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

**ROLL CALL VOTE:**

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

**RESOLUTION #18-70**

**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:
  - c) Attorney-Client Privilege: RTMUA Appointments; RTMUA Capacity Issue; Verizon Wireless Application to use Municipal Right-of-Way

- d) Pending Litigation: Nief property update; Sempervive update

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.

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***CLOSED SESSION MINUTES WILL BE DONE IN A SEPARATE DOCUMENT***

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The regular meeting reconvened at 7:09 p.m.

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**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:** Mayor Mangin asked all to join in the Pledge of Allegiance to our flag and to remain standing for a moment of silence to remember our men and women serving in the Armed Forces and in particular those serving in troubled areas around the world.

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**AMEND/APPROVE THE AGENDA**

Mayor Mangin asked for any amendments to the Agenda.

There were no amendments.

Mayor Mangin asked for a motion to approve the Agenda.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

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**PUBLIC COMMENT:** It is the policy of the Township Committee that all public comments on an issue shall be limited to three minutes per person. Public comment shall be permitted on items of concern regarding the agenda only. In addition, time will be allotted at the end of the meeting for public comment on any issue.

There was no public comment.

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**POLICE COMMENDATIONS – Sergeant Matthew Lawrence and Corporeal Ryan Garbolino**

Mayor Mangin invited Police Chief, Glenn Tabasko, to the dais. Chief Tabasko asked Sergeant Matthew Lawrence and Corporeal Ryan Garbolino to approach the dais as well.

Chief Tabasko acknowledged and recognized the heroic, life-saving efforts of the two officers in assisting a baby that was not breathing. Chief Tabasko explained that he had been eating at the Golden Star Diner and was informed by the wait staff that a baby was in distress and not breathing and the officers acted, took control of the situation, and resuscitated the baby. Chief Tabasko continued that if not for eating at the diner that day, he probably would have never heard of the selfless action of the two officers.

Chief Tabasko read the following duty commendation into the record, “In recognition of your efforts on March 4, 2018 in responding to Golden Star Diner for report of a baby choking. Upon finding the baby unresponsive and determining she was in distress, you immediately began life-saving measures. After Sergeant Lawrence advised he felt a pulse and it appeared the baby was not breathing. Sergeant Lawrence and Corporeal Garbolino performed back blows and checked the baby again. While reassessing the baby, she began to cry. Your rapid response and life saving measures revived the baby allowing her to be transported to Hunterdon Medical Center for immediate medical care. The professionalism and dedication to duty that you displayed reflects highly upon yourself, the Raritan Township Police Department and the community you serve.”

Committee Members commended and thanked the officers and the entire Police Department for their outstanding service to the community.

**FINANCIAL ISSUES**

Payment of Bills as listed for **Raritan Township: \$4,816,382.82**

Motion by Gilbert, seconded by Reiner to approve the bill list for Raritan Township.

**ROLL CALL VOTE:**

<b>AYES:</b>	Gilbert, Hazard, O’Brien, Reiner, Mayor Mangin
<b>NOES:</b>	None
<b>ABSTAIN:</b>	None
<b>ABSENT:</b>	None

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Payment of Bills as listed for **Raritan Township Fire Company: \$1,147.13**

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

**ROLL CALL VOTE:**

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

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**REPORTS**

The following staff reports were acknowledged by the Township Committee:

- \*Public Works – Snow Removal Costs – March 2-5; March 7-8, March 13, 2018
  - \*Planning/Engineering Escrow Accounts – February 2018
  - \*Animal Control Report – February 2018
  - \*Fire Safety – February 2018
  - \*Tax Collector -February 2018
- 

**LIAISON REPORTS**

Karen Gilbert: Finance; Historian; Open Space; Parks and Recreation; Planning Board (Class III Member)  
 Deputy Mayor Gilbert announced that the Planning Board and Local Historians Committee meetings were cancelled and that she did not attend the Parks and Recreation Committee meeting due to illness. Deputy Mayor Gilbert also advised that the farmland preservation plan review is underway.

Gary Hazard: Court/Police; RTMUA  
 Committee Member Hazard acknowledged the recent appointment of Municipal Court Judge, William Mennen, and announced the upcoming meeting of the RTMUA (March 22).

Craig O'Brien: Open Space  
 No report.

Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Public Works; Wildlife Management Advisory Committee  
 Committee Member Reiner commended OEM, Fire, Rescue and Police for their outstanding efforts in serving the community during the past two (2) storms.

Michael Mangin: Board of Health; Finance; Personnel; Planning Board (Class I Member)  
 Mayor Mangin reported on a meeting of the Board of Health advising of two (2) septic waiver approvals and announced that a vacancy still remains on the Zoning Board of Adjustment.

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**UNFINISHED BUSINESS**

**Amending Chapter 2.68 of Municipal Code – Raritan Township Municipal Utilities Authority** – Mr. Hutchins advised that the Township Attorney has been given direction to proceed with amending Township Code regarding Township Committee appointments to the RTMUA.

**2016-2017 Minutes Update** – Municipal Clerk, Lisa Fania, provided an update on the status of the 2016-2017 minutes advising that extensive research was done including review of computer files, minute books, and agendas. Ms. Fania advised that there is no permanent record of the following meeting minutes and presented a proposed schedule of completion as follows:

2017 (prior to her appointment) – February 7, 21; March 7, 9, 14, 16, 21, 24, 27; April 4, 18; June 5; June 20 (scheduled for Committee approval March 20, 2018)

2017 – (after her appointment) – June 29; July 18 (both scheduled for Committee approval March 20, 2018); August 15; September 5 (both scheduled for Committee approval April 3, 2018); and December 5 and 19 (scheduled for Committee approval April 17, 2018).

Ms. Fania voiced opinion that the priority is to complete 2017 minutes for auditing purposes. She informed Committee Members that she had contacted the Auditor to determine how best to complete the minutes in order to fulfill requirements of the annual audit as well as the Best Practices Inventory. Ms. Fania advised that minutes should reflect attendance, action taken, votes, resolutions and ordinances pasted in full, and a listing of those who spoke during public comment. Ms. Fania continued that she felt that with condensed meeting details she could complete the 2017 minutes by the end of May.

Deputy Mayor Gilbert commented on meeting minutes that were presented in draft form and part of meeting packets on the website for which there was no permanent record of approval.

Ms. Fania responded that in some cases there is no permanent record of minutes in the minute books for those listed on past agendas for Township Committee approval. Ms. Fania explained that the list compiled is based on what was included on past agendas for approval.

Committee Member O'Brien commented that the Township's obligation is first to the public in following the law and the availability of minutes in a timely manner. Committee Member O'Brien also thanked Mayor Mangin, Administrator Hutchins and Clerk Fania for their efforts in taking action on this issue. Committee Member O'Brien commented on percentage of completion of minutes for 2016 and 2017.

It was the consensus of the Committee that Ms. Fania focus on the completion of 2017 minutes.

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**NEW BUSINESS**

**Request by Caine Fowler to hold 2018 Spring Weekends at Skunktown Distillery** – Mayor Mangin advised of a request by Caine Fowler, Skunktown Distillery, to hold special events known as 2018 Spring Weekends every Friday and Saturday commencing March 23 through June 16, 2018.

Motion by Gilbert, seconded by Reiner to approve the request by Caine Fowler to hold 2018 Spring Weekends at Skunktown Distillery.

**MOTION UNANIMOUSLY CARRIED**

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**Proposed Sign Ordinance** – Mayor Mangin explained that proposed amendments to the Sign Ordinance by the Planning Board were included in the agenda packet for review by Committee Members.

Mayor Mangin solicited comments from Committee Members.

Deputy Mayor Gilbert commented that the Planning Board put forth a great deal of time and effort in preparing the proposed recommendations. Deputy Mayor Gilbert continued that the amendments are a result of the continuous requests for waivers and revisions to the ordinance by business owners in the community.

There were no additional comments. It was the consensus of the Committee to direct the Township Attorney to prepare a draft ordinance for review at a future regular meeting.

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**Township Newsletter Restart and Website Platform Revision** – Deputy Mayor Gilbert requested that the Committee consider restarting the Township Newsletter and Website Platform Revision. Deputy Mayor Gilbert expressed opinion in support of such explaining that the purpose is to provide a means of outreach to the community regarding important new and useful information; information about the Township's government; and what is happening in the municipality. Deputy Mayor Gilbert commented that many people do not go to the website to browse but visit only when they are looking for something specific. Deputy Mayor Gilbert continued that it makes sense to update the website to a more user-friendly platform, as it will be referred to in the newsletter as a point of information. Mayor Gilbert added that Lisa can assist and it will cost nothing as funding will come from the Clean Communities Grant.

Mr. Lehrer advised that a voice vote is sufficient to authorize approval to proceed.

Committee Member O'Brien commented in support of an overhaul of the website but suggested thinking about desired capabilities and requirements; and tracking hits on the site for one month. Deputy Mayor Gilbert expressed concern for a true assessment of website hits as it is not a user-friendly format.

Discussion was held regarding website maintenance and vendor.

Mayor Mangin asked for a motion to restart the Township newsletter.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, Reiner, Mayor Mangin

**NOES:** O'Brien

**ABSTAIN:** None

**ABSENT:** None

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Mayor Mangin asked for a motion to upgrade the Township Website Platform.

Motion by Hazard, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

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**Procedure for assigning public defender to indigent defendants** – Township Attorney, Jeff Lehrer, advised Committee Members that Assistant Judge Ciccone's memorandum included in the packet is for informational purposes only. He explained that it relates to the assignment of public defenders to indigent defendants in the packet. Mr. Lehrer continued that a State Police defender is assigned to a disorderly persons offense involving a domestic violence claim or charge and that a Municipal Public Defender would represent cases that do not involve a restraining order.

**Limitation on retroactive tax relief due to 100% disabled veteran status** – Mayor Mangin explained that concern had been raised regarding time limitations for granting retroactive tax relief for one hundred (100%) disabled veterans. Mayor Mangin continued that the municipality collects taxes for the county and schools and when refunds as such are authorized, the municipality bears the burden as the county and schools do not refund their portions.

Mayor Mangin commented that Committee Member O'Brien raised such concerns in July of 2017 and he spoke in agreement of same.

At this time, Committee Member O'Brien requested that the Committee deviate from the scheduled agenda and take action on proposed resolution #18-71 Authorizing Tax Refund Due to 100% Disabled Veteran Status (Landers).

Mayor Mangin asked for a motion to take action on Resolution #18-71.

Motion by O'Brien, seconded by Reiner

Motion by Reiner, seconded by O'Brien

**ROLL CALL VOTE:**

**AYES:** Hazard, O'Brien, Reiner, Mayor Mangin

**NOES:** Gilbert

**ABSTAIN:** None

**ABSENT:** None

Mayor Mangin read Resolution #18-71 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-71.

Motion by Reiner, seconded by O'Brien

**ROLL CALL VOTE:**

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

**RESOLUTION #18-71**

**A RESOLUTION AUTHORIZING A TAX REFUND FOR THE FIRST QUARTER OF 2018, FOR YEARS 2017, 2016 AND THE FIRST THREE QUARTERS OF 2015 DUE TO 100% DISABLED VETERAN STATUS**

**WHEREAS**, N.J.S.A. 54:4-3.30 *et seq.* provides for 100 percent (100%) disabled veterans and their spouses to be exempt from property taxes on their principal residences; and

**WHEREAS**, the property owner listed below has received such designation by the US Veterans Administration and has subsequently applied and been approved for such an exemption from the Tax Assessor of the Township of Raritan; and

**WHEREAS**, this designation can result in the overpayment of property taxes and require the cancellation of future tax payments; and

**WHEREAS**, the Township Tax Collector, as a result of recently approved 100 percent (100%) disabled veteran status, recommends the refunding of the tax overpayments listed below.

**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 Tax Collector is directed to process a tax refund as follows:

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>
Theodore C. Landers Sr. (35 Phipps Court)		71.20	37
<i>1<sup>st</sup> Quarter 2018</i>	<u>\$1,937.95</u>		
<b>2018 Total:</b>	<b>\$1,937.95</b>		
<i>1<sup>st</sup> Quarter 2017</i>	\$1,903.15		
<i>2<sup>nd</sup> Quarter 2017</i>	\$1,903.14		
<i>3<sup>rd</sup> Quarter 2017</i>	\$1,972.76		
<i>4<sup>th</sup> Quarter 2017</i>	<u>\$1,972.75</u>		
<b>2017 Total:</b>	<b>\$7,751.80</b>		
<i>1<sup>st</sup> Quarter 2016</i>	\$1,854.91		
<i>2<sup>nd</sup> Quarter 2016</i>	\$1,854.89		
<i>3<sup>rd</sup> Quarter 2016</i>	\$1,951.39		
<i>4<sup>th</sup> Quarter 2016</i>	<u>\$1,951.39</u>		
<b>2016 Total:</b>	<b>\$7,612.58</b>		

2 <sup>nd</sup> Quarter 2015	\$231.36
3 <sup>rd</sup> Quarter 2015	\$668.25
4 <sup>th</sup> Quarter 2015	\$3,457.44
<b>2015 Total:</b>	<b>\$4,357.05</b>

**TOTAL:** **\$21,659.38**

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Discussion continued regarding time limitations for retroactive tax relief. Mayor Mangin referred to recommendations submitted by Deputy Mayor Gilbert.

Deputy Mayor Gilbert recalled that the issue was previously raised by Committee Member O'Brien during a discussion of a request for retroactive relief for three (3) weeks. Deputy Mayor Gilbert continued that the Committee had just moved on approval of a request for two and a half (2 ½) years, authorizing the largest amount ever, over \$21,000. Deputy Mayor Gilbert expressed opinion in support of further consideration of this matter.

Mr. Lehrer advised that this is a policy matter and that action establishing policy must be authorized by ordinance.

Discussion was held regarding the number of one hundred percent (100%) disabled veterans in the municipality and laws regarding retroactive tax relief.

Committee Member Hazard suggested researching practice of other comparable municipalities regarding such.

Deputy Mayor Gilbert spoke in support of additional research and voiced opinion that tax relief should be based on a policy, as the Township is obligated by law to grant relief, and not how decorated a veteran is or how many people come out to support a veteran or by how many years of service.

Committee Member O'Brien spoke about the length of time and dates used in the process for determining one hundred percent (100%) disabled status including date of application; date from the VA; date of determination; and date of intent to file. Committee Member O'Brien further added that the law allows a municipality to use any methodology in the determination of retroactive tax relief.

Deputy Mayor Gilbert responded that the reason she brought consideration of the matter before the Committee was that it had already been raised. Deputy Mayor Gilbert referred to the July 18, 2017 meeting minutes reading the following into the record, "Committee Member O'Brien expressed support for the resolution, however, commented that retroactive tax relief was not past practice of the Township but continued that we don't want someone to request retroactive tax relief for six months or one year or two years. He commented that the Committee needs to have some sort of understanding of a reasonable time frame."

It was the consensus that Mr. Lehrer follow up on the protocol of other municipalities for granting retroactive tax relief to one hundred percent (100%) disabled veterans and advise accordingly.

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## **ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)**

Mayor Mangin read by title Ordinance #18-1.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING AND SUPPLEMENTING TITLE 16 ENTITLED "LAND DEVELOPMENT" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY AMENDING SECTION 16.02.030 ENTITLED "DEFINITIONS," BY AMENDING SECTION 16.18.090 ENTITLED "PLAT DETAILS," AND BY AMENDING SECTION 16.64.020 ENTITLED "PERMITTED MODIFICATIONS --- CLUSTER RESIDENTIAL DEVELOPMENT"

Mayor Mangin asked for a motion to open public hearing.

Motion by Gilbert, seconded by Reiner

**MOTION UNANIMOUSLY CARRIED**

No public comment.

Prior to the vote, Mr. Lehrer referred to the March 1, 2018 letter from the Planning Board recommending changes for consistency with New Jersey standards for subsurface sewerage disposal systems. Mr. Lehrer advised that a Master Plan consistency recommendation was not included in the letter and is required. Mr. Lehrer continued that the recommended changes are nonmaterial and require changing reference from "one soil log" to "two soil logs. Mr. Lehrer stated that he had no issue with proceeding with the adoption of the ordinance as amended and that Ms. Fania obtain written documentation for file purposes of the Planning Board's acknowledgement regarding Master Plan consistency.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-1 on final consideration, same to be published according to law as amended.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

Ordinance advertised March 8, 2018 The Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #18-1**

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING AND SUPPLEMENTING TITLE 16 ENTITLED "LAND DEVELOPMENT" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY AMENDING SECTION 16.02.030 ENTITLED "DEFINITIONS," BY AMENDING SECTION 16.18.090 ENTITLED "PLAT DETAILS," AND BY AMENDING SECTION 16.64.020 ENTITLED "PERMITTED MODIFICATIONS --- CLUSTER RESIDENTIAL DEVELOPMENT"**

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

**Section 1** Section 16.02.030 "Definitions" is hereby amended as follows:

Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of this title, and the word "building" shall include the word "structure," the word "used" shall include the word "arranged," "designed," "constructed," "altered," "converted," "rented," "leased" or "intended to be used," and the word "abut" shall include the words "directly across from," "adjacent to" and "next to."

**Accessory apartment** - a self-contained housing unit incorporated within an existing residential structure originally designed for single-family residence and not substantially altered for the new unit.

**Accessory use, structure or building** - means a use, structure or building subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building. In the case of an accessory structure or building, it shall be detached from the principal building. All structures or buildings on nonresidential lots are considered principal structures on the lot and shall conform to requirements for principal structures.

**Administrative Officer** - the Township Planner and/or Zoning Officer.

**Advertising display** - See Sign.

**Affordable housing** - any housing unit with an acquisition price or rent level not exceeding the maximum resale or rent level for low and moderate-income housing and as further defined in N.J.A.C. 5:93-1.1 et seq.

**Agent** - one or more persons designated to represent the applicant before the Planning Board.

**Agricultural/horticultural use** - See Farm.

**Agricultural research facility** - a use primarily concerned with the scientific study of farm animals and agricultural products, located in a farm environment and where no products are manufactured or produced on the premises for sale.

**Alterations** - as applied to a building or structure, means a change or rearrangement in the

structural parts or in the existing facilities, or an enlargement, whether by extension of a side or by increasing in height or by moves from one location or position to another.

**Altered parking area** - existing parking areas which are to be surfaced, resurfaced, redesigned, re-stripped to indicate a new layout, curbed, redesigned to accommodate a new traffic pattern, and similar changes which require review by the board.

**Altered space** - the square footage of an existing building which will undergo a change or rearrangement in the structural parts or in the means of egress to the space, or where the use of the space will be more intensively utilized, such as the change from a storage area to an office, retail or manufacturing area, or from a residential to a nonresidential use.

**Animal hospital** - a building or portion thereof designed or used for the care, examination or treatment of domestic animals.

**Apartment** - one of several individual dwelling units designed and erected as an integrated development in one or several buildings with singleness of use and operation and which utilizes such common facilities as pedestrian walks, parking and garage areas, open space or recreation areas, and utility and sanitary systems.

**Applicant** - the legal or beneficial owner or owners of land to be subdivided or developed. The holder of an option or contract to purchase, or other person or persons having an enforceable proprietary interest in such land, may be considered to be an applicant for the purpose of this chapter. Such person may also be known as the developer.

**Application for development** - the application form and all accompanying documents required by this chapter for approval of a site plan and/or subdivision.

**Approved forms** - forms required and supplied by the Planning Board and Board of Adjustment to be submitted with an application for each submission.

**Assisted living facilities** - a facility containing residences for the elderly that provides rooms, meals, personal care assistance and the supervision or administration of medications. The facility must be licensed by the New Jersey Department of Health and Senior Services, the New Jersey Department of Community Affairs, or another appropriate agency. A designated number of beds in the facility shall be restricted to low- and moderate- income households per Medicaid requirements. Assisted living facilities may include programs to meet the needs of residents with Alzheimer's disease or other dementias. Such programs shall provide individualized care based upon assessment of the cognitive and functional abilities of Alzheimer's and dementia residents who have been admitted to the program. (Ord. 10-7 § II)

**Attached dwelling unit** - a dwelling unit which is physically linked to one or more other dwelling units forming a single dwelling structure.

**Automobile wrecking yard** - any yard and/or structure used or intended to be used for the conducting and operating of the business of selling, buying, storing or trading in used or discarded metal, glass, paper, cordage, or any used or disabled fixtures, vehicles or equipment of any kind.

**Barber and beauty shop** - a building or part thereof in which a service is provided to men, women and children by shampooing, cutting, styling, tinting or treatment of hair, by giving manicures, pedicures or facial treatments or by the use of cosmetic products. Said use may include accessory retail sales of goods and services associated with the specific use conducted on site. (Ord. 02-53)

**Billboards, signboards or advertising devices** - See Sign (street graphics).

**Block** - the area bounded by one or more streets or a municipal boundary of sufficient size to accommodate a lot or lots of the minimum size required in the zoning ordinance of the Township and as further specified herein.

**Boarder or roomer** - a person who is not related to the head of the household and who pays for the privilege of boarding or rooming.

**Buffer strip** - means a strip of land providing a natural vegetation screen or a fence or other means so as to continually restrict a clear view beyond the buffer strip.

**Building** - a combination of materials to form a construction adapted to permanent, temporary or continuous occupancy and having a roof.

**Building height** - the vertical distance measured from the mean level of the ground surrounding the building to a point midway between the highest and lowest points of the roof, but not including chimneys, spires, towers, elevator penthouses, tanks and similar projections. (Ord. 04-22)

**Building line** - a line formed by the intersection of a horizontal plane at average grade level and a vertical plane that coincides with the exterior surface of the building on any side. In case of a cantilevered section of the building, the vertical plan will coincide with the most projected surface. All yard requirements are measured to the building line.

**Building, principal - Principal building** - structure in which is conducted the principal use of the site on which it is situated. In any residential district, any dwelling shall be deemed to be a principal building on the zone lot on which it is located.

**Business office** - a building or portion thereof which is used for conducting the affairs of a business; service, industry or government and within which a product or merchandise for sale to the public is not offered. However, personal services, such as barber and beauty shops, and repair services, such as radio and television repair shops, are not to be included within the definition of "business office." A bank, trust company, savings and loan or similar establishment for the custody, loan, exchange or issue of money, for the extension of credit and for facilitating the transmission of funds is not to be included within the definition of "business office."

**Caliper** - standard measure of tree size for trees to be newly planted. The measurement is taken six (6) inches above the ground for trees four (4) inches in diameter or less, and twelve (12) inches above the ground for trees over four (4) inches in diameter. (Ord. 10-27)

**Camp** - a predominantly open space facility designed for outdoor recreational use by persons residing on the site for short periods in seasonal quarters.

**Certificate of occupancy** - a certificate issued by the Construction Official upon completion of construction, alteration or change in occupancy of a building. Said certificate shall acknowledge compliance with all requirements of this title, such adjustments thereto granted by the Board of Adjustment and/or all other applicable requirements.

**Certification** - a written endorsement of a plan for soil erosion and sediment control by the Township Engineer which indicates that the plan meets the standards promulgated by the state Soil Conservation Committee as set forth in the latest "Standards for Soil Erosion and Sediment Control in New Jersey."

**Change of use** - the change from one enumerated principal use to another enumerated principal permitted use on a lot or within a structure or building.

**Channel** - a watercourse with a definite bed and banks which confine and conduct continuously or intermittently flowing water.

**Child care center** - any facility which is maintained for the care, development or supervision of six (6) or more children under thirteen (13) years of age who attend the facility for less than twenty-four (24) hours a day, and which is subject to State licensure or life-safety approval, pursuant to the provisions of the "Child Care Licensing Act," P.L. 1983, c.492 (C. 30:5-B-a to 30:5B-15). (Ord. 06-31)

- **Church** - a building or group of buildings, including customary accessory buildings, designed or intended for public worship. For the purpose of this chapter, the word "church" shall include chapels, congregations, cathedrals, temples or similar designations, as well as parish houses, convents and such accessory uses.

**Circulation** - systems, structures and physical improvements for the movements of people, goods, water, air, sewage or power by such means as streets, highways, railways, waterways, towers, airways, pipes and conduits, and the handling of people and goods by such means as terminals, stations, warehouses and other storage building or trans-shipment points.

**Civic use** - a use of a building, structure or lot by a federal, state, or Municipal Agency, or its duly appointed agent, including yards, parks and recreational facilities, educational facilities, public hospitals, public museums, public libraries, public community centers, theaters, public stadiums and arenas. (Ord. 02-47)

**Clear cutting** - the removal of all standing trees on a lot or a portion of a lot. (Ord. 10-27)

**Club, lodge and fraternal organization** - a social or service organization not organized or conducted for profit and which is not an adjunct to or operated by or in conjunction with a public tavern, cafe or other place of business.

**Cluster residential development** - a residential development of detached dwelling units planned as a single, entity in accordance with the provisions of this chapter and which has common or public open space as an appurtenance.

**COAH** - the New Jersey Council on Affordable Housing.

**Commercial distribution of fuels** - storage of refinery products for distribution or resale.

**Commercial greenhouse** - the raising of plants within a greenhouse for income, but not including retail sales from within the greenhouse unless the greenhouse is located in a business zone where such sales are permitted.

**Commercial vehicles** - any motor vehicle, other than a passenger car, having more than two (2) axles and/or four (4) wheels and/or exceeding a loading capacity of one-half (1/2) ton.

**Common open space** - an open space area within or related to a site designated as a development and designed and intended for the use or enjoyment of residents and owners of the development, and containing such complementary structures and improvements as are necessary and appropriate for the enjoyment of residents and owners of the development.

**Community forest** - forest resources owned and managed by a public entity. In the Township, this includes trees and forests on municipal properties such as the municipal buildings and facilities, parks and open space owned in part or in whole by the Township. (Ord. 10-27)

**Complete application** - an application form completed as specified by this title and the rules and regulations of the Planning Board and all accompanying documents required by this title for approval of an application. However, if the application is found incomplete, the developer shall be notified in writing of the deficiencies within forty-five (45) days of the submission of such application, or it shall be deemed properly submitted.

The Planning Board may require such additional information, not specified by this title, or any revisions in the accompanying documents, as are reasonably necessary to make an informed decision as to whether the requirements necessary for the approval of the application have been met. The application shall not be deemed incomplete for the lack of any such additional information or any revisions in the accompanying documents so required by the Board. An application shall be certified as complete immediately upon the meeting of all requirements specified in this title and in the rules and regulations of the Planning Board and shall be deemed complete as of the day it is so certified by the Administrative Officer for purposes of the commencement of the time period for action by the Planning Board.

**Conditional use** - a use permitted in a particular zoning district only upon a showing that such a use in a specified location will comply with the conditions and standards for the location or operation of such as contained in the zoning ordinance and upon the issuance of authorization therefor by the Planning Board.

**Condominium** - a legal arrangement providing for individual ownership of a portion of a building and/or land parcel and including arrangements for the maintenance responsibilities of such building and/or land parcel.

**Construction Official** - the municipal official specified in the building code and designated as such by the Township Committee.

**Construction permit** - an authorization to build issued by the Township Construction Official after a determination that all applicable Township requirements have been met.

**Cul-de-sac or dead-end street** - a minor street or a portion of a minor street in which accessibility is limited to only one single means of ingress and egress.

**Cut** - a portion of land surface of an area from which earth has been removed or shall be removed by excavation; the depth below original ground surface to excavated surface.

**Days** - calendar days, including weekends and holidays.

**Department** - the State Department of Environmental Protection.

**Developer** - the legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the owner of an option, or contract to purchase or other person having an enforceable interest in such land.

**Development** - the division of a parcel of land into two (2) or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure or land or extension of use of land, for which permission may be required by the Township.

**Development fees** - money paid by an individual, person, partnership, association, company or corporation for the improvement of property as permitted by COAH rules.

**Diameter at Breast Height** - diameter of a tree measured four and one-half (4 1/2) feet (forestry method) above the ground level on the downhill side for existing trees. Diameter at Breast Height may appear as the abbreviation "DBH" (Diameter Breast Height). (Ord. 10-27)

**District or zone** - any portion of the territory of the Township of Raritan within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this title.

**Disturbance** - any activity involving the clearing, excavating, storing, grading, filling or transporting of soil or any other activity which causes soil to be exposed to the danger of erosion.

**Diversion** - a channel with or without a supporting ridge on the lower side constructed across or at the bottom of a slope.

**Drainage** - the removal of surface water or groundwater from land by drains, grading or other means, and includes control of runoff to minimize erosion sedimentation during and after construction or development, and means necessary for water supply preservation or prevention or alleviation of flooding.

**Drip line** - a limiting line established by a series of perpendicular drop points marking the maximum radius of the crown of an existing tree, but not less than six (6) feet from the trunk, whichever is greater; and within which no construction or disturbance shall occur. (Ord. 10-27)

**Dwelling** - any building or portion thereof designed or used primarily as the residence or sleeping place of one or more persons. A “dwelling” is not a mobile home, a hotel, motel, hospital, nursing home, dormitory, fraternity or sorority house, rooming house, boarding house, or similar structure under the terms of this title.

**Dwelling, single-family - Single-family dwelling** - a detached building or dwelling unit designed for or occupied exclusively by one or more persons living as a single, nonprofit housekeeping unit.

**Dwelling, single-family semi-detached - Semi-detached single-family dwelling** - a one-family dwelling attached to another one-family dwelling by a common vertical wall, with each dwelling located on a separate lot.

**Dwelling, quadruplex - Quadruplex dwelling** - four attached dwellings in one building in which each unit has two (2) open space exposures and shares one (1) or two (2) walls with an adjoining unit or units or shares a common garage wall with an adjoining unit.

**Dwelling unit** - one or more rooms, including cooking facilities, in a structure designed as a unit for occupancy by not more than one family for living and sleeping purposes.

**ECHO unit** - elder cottage housing opportunity unit, a separate living quarters, accessory to a primary residence on the premises, not exceeding seven hundred fifty (750) square feet of gross floor area for the use of and occupancy, by not more than two persons who are relatives by blood, marriage or adoption of an owner/occupant of the primary residence on the premises. One of the ECHO unit occupants shall be sixty (60) years of age or older.

**Embankment** - a manmade deposit of soil, rock or other materials.

**Encroachment** - any obstruction within a delineated floodway.

**Environmental Commission** - the Raritan Township Environmental Commission.

**Equalized assessed value** - the value of a property determined by the Municipal Tax Assessor through a process designed to ensure that all property in the municipality is assessed at the same assessment ratio or ratios required by law. Estimates at the time of building permit may be obtained by the Tax Assessor utilizing estimates for construction cost. Final equalized assessed value will be determined at project completion by the Municipal Tax Assessor.

**Erosion** - the detachment and movement of soil or rock fragments by water, wind, ice and gravity.

**Essential services** - the erection, construction, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, including electric substations, telephone dial center, towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies, or for the public health or safety or general welfare. “Essential services” shall include firehouses, first aid and emergency aid squads, whether provided by a municipal or nonprofit agency.

**Excavation** - See Cut.

**Existing grade** - the vertical location of the ground surface prior to cutting or filling.

**Family** - two or more persons related by blood or marriage or legal adoption, or up to four unrelated individuals living together as a single housekeeping unit in a dwelling.

**Farm** - a parcel or parcels of land comprised of or in aggregate total of five (5) or more acres, exclusive of a minimum of one acre used for a dwelling and any additional area covered by municipal, county or state roads. Said five (5) or more acres shall be devoted to either the production for sale or consumption by the owner of plants and animals generally accepted as useful to man, including but not limited to forages and crops; grain and feed crops; dairy animals and products, poultry and poultry products; livestock, including beef cattle, sheep, horses, ponies, mules, hogs, dairy cattle or goats, including the breeding and grazing of any and all such animals; bees and apiary products; fur-bearing animals; and trees and forest products; including the processing and sale of these products on the property where produced. Land shall be deemed a farm when devoted to the production of fruits of all kinds, including grapes, nuts and berries; vegetables; nursery, floral, ornamental and greenhouse products, including the processing of these products on the property where produced.

**Farm product sales** - the sale of seasonal products raised on the premises only and may be sold from a table or other similar portable display.

**Farm stand** - a structure designed for the display and sale of seasonal farm produce, fifty (50%) percent of which is raised on the premises and/or other farm parcel owned or cultivated by the farm stand operator. Such a use shall require a conditional use permit.

**Farm structure** - any structure used for the storage of agricultural equipment or farm produce, or housing livestock or poultry. All farm structures shall be considered accessory structures, whether or not a principal structure exists on the same lot.

**Farmer's market** - the seasonal selling or offering for sale at retail of vegetables or produce, flowers, or orchard products, occurring in a pre-designated area, where the vendors are individuals who have raised the vegetables or produce or have taken the same on consignment for retail sale. (Ord. 08-30 § I)

**Fast-food restaurant** - a retail food service operation in which a limited or specialized list of quickly prepared or pre-prepared food items is offered for on-premises and off-premises consumption; or where a drive-up window exists for ordering food items, or where vehicle food service or consumption of food within a vehicle exists on the premises.

**Fence** - an artificially constructed barrier of wood, masonry, stone, wire, metal or any other manufactured material or combination of materials.

**Fill** - sand, gravel, earth or other materials of any composition whatsoever placed or deposited by any person.

**Final approval** - the official action of the Planning Board taken on a preliminary approved major subdivision or site plan after all conditions, engineering plans and other requirements have been

completed or fulfilled and the required improvements have been installed.

**Finished grade** - the final elevation of the ground surface conforming to the proposed design.

**Fixture** - the assembly that holds the lamp (bulb) in a lighting system. It includes the elements designed to give light output control, such as a reflector (mirror) or refractor (lens), the ballast, housing, and the attachment parts. (Ord. 02-21)

**Flood light** - a luminaire or bulb which projects light in a specific direction in a wide beam, typically 100 degrees or more. (Ord. 02-21)

**Flood map** means:

1. Map prepared by the Department of Housing and Urban Development, Federal Insurance Administration, No. H 01-12 dated July 26, 1974;
2. Natural Resource Inventory Floodplain/Soils Map for Raritan Township.

When no flood maps are available, the Township Engineer shall determine the extent of flooding in any particular area based on available data and information.

**Floodplain** - the 100-year floodplain as shown on the Federal Emergency Management, National Insurance Program, Flood Insurance Rate Maps. (Ord. 06-11)

**Floodplain (500 year)** - the 500-year floodplain as shown on the Federal Emergency Management, National Flood Insurance Program, Flood Insurance Rate Maps. (Ord. 06-11)

**Floor area ratio** - the quotient achieved by dividing the gross floor area by the net area of the lot.

**Fly ash** - particles of gas-borne matter, not including process material, arising from the combustion of solid fuel, such as coal or wood.

**Footcandle (fc)** - a unit of illuminance on a surface one-foot square in area onto which there is a uniform flux of one lumen. (Ord. 02-21)

**Footlambert (fL)** - a unit of luminance of a surface reflecting or emitting light at the rate of one lumen per square foot. The average luminance of any reflecting surface in footlamberts is the product of the illuminance in footcandles striking the surface times the reflectance of the surface. (Ord. 02-21)

**Full-cutoff (fco)** - a light fixture which cuts off all upward transmission of light. (Ord. 02-21)

**Fully shielded** - a fixture with housing or attachment thereto which prevents a line of sight to the bulb when viewed from another property and which prevents a line of sight to any part of the light source at or above a horizontal plane running through the lowest portion of the fixture. (Ord. 02-21)

**Garage, private - Private garage** - a detached or attached structure used only for the storage of vehicles owned or rented by the occupant of the principal structure or his or her family.

**Garage, public - Public garage** - any garage other than a private garage which is open to the public and used for the storage of motor vehicles.

**Gasoline filling station and public and repair garage** - a building or place of business where gasoline, oil and grease, batteries, tires and automobile accessories are supplied and dispensed directly to the motor vehicle trade, at retail, and/or where repair service and related vehicle services may be rendered. Carwash facilities are included in this definition as accessory uses.

**Glare** - the discomfort experienced by an observer with a direct line of sight to a light source which often results in annoyance, discomfort or loss of visual performance causing visual impairment. (Ord. 02-21)

**Grading** - any stripping, cutting, filling, stock-piling any combination thereof and shall include the land in its cut or filled condition.

**Grading permit** - a permit issued by the Township Engineer to authorize work to be performed under this title in situations not requiring subdivision approval or site plan approval.

**Grassed waterway** - a natural or constructed path, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water from a field diversion or other feature.

**Gross floor area** - the sum of the gross horizontal area of the several stories of a building. Floor area shall not include cellar space or any floor space where the average floor-to-ceiling height is less than seven (7) feet.

**Group homes** - a community residence for the developmentally disabled or a shelter for victims of domestic violence, as defined by N.J. 40:55D-66.2, housing more than six (6) persons, excluding staff.

**Hard surface** - those surfaces which do not absorb water. All structures, surfaced parking areas, streets, driveways, sidewalks, and any areas in concrete, asphalt and packed stone shall be considered "hard surface" within this definition.

**Hazardous materials** - means and includes, but is not limited to, inorganic mineral acids of sulfur, fluorine, chlorine, nitrogen, chromium, phosphorous, selenium, and arsenic and their common salts; lead, nickel and mercury and their inorganic salts or metallo-organic derivatives; petroleum products and radioactive material; and coal tar acids, such as phenols and creosols, and their salts.

**Helistop** - an area that is used for the landing and takeoff of helicopters, but without any auxiliary facilities such as helicopter parking areas, waiting rooms, fueling or maintenance equipment.

**Home business** - a single business conducted from a portion of an existing single-family dwelling, or from another building on property on which there is an existing single-family dwelling. Home businesses shall be limited to retail specialty shops and activities, artisans' workshops and offices and shops, including antique, gift, book, bakery, bicycle and candy sales; galleries, photography

and art studios, coin, stamp and beauty shops; cabinet making, tutoring, tailoring, professional occupations, shoe repairing, private and nursery schools, dog care, barber shops, caterers, hobby shops, fruit and vegetable markets, florists, real estate agencies, insurance brokers.

**Home occupation** - a physician, dentist, lawyer, optometrist, architect, engineer, planner, artist, accountant, real estate or insurance agent, where clients or patients visit the premises on which the "home occupation" is located. "Home occupations" require a conditional use permit and parking facilities.

**Home office** - an area of a residence not exceeding two hundred (200) square feet and used by an occupant of such residence for office or studio purposes only, provided that there is no exterior indication of such office or studio use, and provided that such use does not require parking, deliveries or other external traffic other than that normally required by the residential use. This definition includes the tutoring of not more than five (5) children and the traffic associated therewith.

**Homeowners' association** - an incorporated nonprofit organization operating in a development under recorded land agreements, through which each lot owner shall be a member, and each dwelling unit is subjected to a charge for a proportionate share of the expenses for the organization's activities and maintenance, including any maintenance costs levied against the association by the Township, and each owner and tenant has a right to use the common property.

**Horizontal (or vertical) foot-candles** - the amount of light striking a vertical or horizontal plane. (Ord. 02-21)

**Hospital** - any building containing beds for four or more patients, and used for the diagnosis, treatment or other care of human ailments and staffed by licensed physicians.

**Hotel** - a facility offering transient lodging accommodations, with no provision for cooking in any individual room or suite, to the general public, and providing additional services such as restaurants, meeting rooms, and recreational facilities.

**Houses of worship** - See Church.

**IESNA** - the Illuminating Engineering Society of North America, an organization that recommends standards for the lighting industry. (Ord. 02-21)

**Inclusionary development** - a development containing low and moderate-income units. This term includes, but is not necessarily limited to, new construction, conversion of a nonresidential structure to a residential structure, and the creation of new low and moderate-income units through the substantial rehabilitation of a vacant residential structure.

**Inclusionary zoning** - development regulations governing the use and development of land for low and moderate-income units.

**Institution** - a nonprofit or quasi-public use, such as a church, school, library or hospital or municipally owned or operated building, structure or land used for public or quasi-public purpose.

**Interested party** means:

1. In a criminal or quasi-criminal proceeding, any citizen of the state of New Jersey; and
2. In the case of a civil proceeding in any court or in an administrative proceeding before a Municipal Agency, any person, whether residing within or without the Township, whose right to use, acquire or enjoy property is or may be affected by any action taken under the provisions of this chapter, or whose rights to use, acquire or enjoy property is or may be affected by any action taken under the provisions of this chapter, or whose rights to use, acquire or enjoy property under this title or under any other law of this state or of the United States have been denied, violated or infringed by an action or a failure to act under this title.

**Invasive species** - the specific species which are not native to New Jersey and have been recognized to overwhelm species native to the area. (Ord. 10-27)

**Junkyard** - a yard, building, covered space or space kept, maintained or existing for the purpose of buying or selling, exchanging or storing of rags, old metals, old bottles and glassware, old paper, old plumbing fixtures, salvaged items, debris, dismantled vehicles or parts thereof, unlicensed vehicles, any other old material commonly called junk, and including dismantling operations of the above materials and items. A junkyard shall not include the storage of old material to be used by the person or firm storing the same for permitted on-site manufacturing purposes.

**Kennel, commercial - Commercial kennel** - an establishment, the principal function of which is the sale of dogs or services related to dogs. It shall include the establishment for the boarding, trimming, grooming, training and/or breeding of dogs for which a fee is charged.

**Kennel, noncommercial - Noncommercial kennel** - an accessory use of a single-family dwelling by a breeder or dog fancier who is a resident thereof, where six or more dogs of a licensable age are kept for the principal purpose of hunting, breeding for enhancement or perpetuation of a given breed, for practice tracking, for exhibition in dog shows, for field or obedience trails, or for guarding or protecting of the householder's property.

The surplus offspring of dogs bred by a hobby breeder may be sold, and such sales shall not be considered commercial breeding provided there are no more than two (2) litters per year and provided further that the sale of the offspring is not the primary function of the kennel. There shall be no more than a total of twenty (20) dogs of licensable age; otherwise, the standards of a commercial kennel shall apply.

**Land** - any ground, soil or earth including marshes, swamps, drainways and areas not permanently covered by water.

**Landfill** - the filling of low areas, surface deposition or the raising of the surface of the ground by the dumping, depositing or placing of waste materials, vehicles, building materials, household waste, or junk, vegetated or developed.

**Light industry** - means a land use where the primary activity involved is one of the fabricating or assembling of standardized parts as contracted to a processing activity which would change the nature or character of the product or raw material.

**Light source** - the bulb and lens, diffuser, or reflective enclosure. (Ord. 02-21)

**Light trespass** - light projected onto a property from a fixture not located on that property. (Ord. 02-21)

**Living area** - the area within the wall exteriors above the main grade level, but excluding cellars, attics, garages or porches.

**Lot** - a parcel or portion of land separated from other parcels or portions by description and area as on a subdivision of record, or survey map, or by metes and bounds for purpose of sale, lease or separate use. A street passing through land shall be considered as having divided the land into lots. A building lot shall be one meeting the minimum area and dimension requirements as specified in the Township zoning ordinance and fronting on an approved and improved street.

1. **Lot area** - the computed area contained within the lot lines, excluding any street rights-of-way.
2. **Lot, corner** - Corner lot means a lot abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street, which streets or parts of the same street form an interior angle of less than one hundred thirty-five (135) degrees. The point of intersection of the street lot lines is the corner.
3. **Lot depth** - the mean distance between the front and rear lot lines.
4. **Lot, Interior** - Interior lot means any lot not a corner lot.
5. **The property lines bounding the lot:**
  - a. **Lot line, front - Front lot line** means the dividing line between the lot and a street.
  - b. **Lot line, rear - Rear lot line** means the lot line opposite and most distant from the front lot line.
  - c. **Lot line, side - Side lot line** means the lot line other than a front or rear lot line. A side lot line separating a lot from a street is called a "side street lot line."
6. **Lot, through** - any lot, not a corner lot, which connects two (2) generally parallel streets. (Ord. 00-4)
7. **Lot width** - the distance between the two (2) side lot lines measured at the required setback line.

**Lot averaging** - the reduction in size of some lots in subdivision, and the corresponding increase in the size of other lots in the same subdivision, in order to achieve an improvement in lot layout without any change in overall development intensity.

**Low income housing** - affordable according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross income equal to fifty (50%) percent or less of the median gross household income for households of the same size within the housing region in which the housing is located and is subject to affordability controls.

**Lumens** - measure of brightness of the illumination exiting a bulb. (Ord. 02-21)

**Maintenance guarantee** - any security, other than cash, which may be accepted by the Township for the maintenance of any improvements required by this title.

**Major site plan** - a plan of major development of one or more lots on which is shown:

1. The existing and proposed conditions of the lot, including, but not necessarily limited to topography, vegetation, drainage, floodplains, marshes and waterways;
2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, screening devices; and
3. Any other information that may be reasonably required in order to make an informed determination pursuant to this title requiring review and approval of site plans by the Planning Board.

**Major subdivision** - any subdivision not classified as a minor subdivision.

**Master plan** - a composite of the mapped and written proposals recommending the physical development of the Township, which shall have been duly adopted by the Planning Board.

**Mature woodland** - an area of mature deciduous and/or non-deciduous trees covering one (1) acre or more contributing of either thirty (30%) percent or more largely deciduous and/or non-deciduous canopy trees having a ten (10) inch or greater caliper or any grove of deciduous and/or non-deciduous trees consisting of eight (8) or more trees having an eighteen (18) inch or greater caliper. (Ord. 11-3)

**Minimum required improvable acreage** - the largest contiguous acreage of a lot excluding existing or proposed street rights of way, Freshwater Wetlands and their associated transition areas as determined and/or verified by the New Jersey Department of Environmental Protection, flood plain, storm water detention and/or retention facilities, existing easements precluding structures, buffer yards as required under Section 16.18.110 and State Open Waters.  
(Ord. 01-9; Ord. 02-54)

**Minimum required improvable area** - the largest contiguous area of a lot excluding existing or proposed street rights of way, Freshwater Wetlands and their associated transition areas as determined and/or verified by the New Jersey Department of Environmental Protection, flood plain, storm water detention and/or retention facilities, existing easements precluding structures, buffer yards as required under Section 16, 18.110 and State Open Waters.  
(Ord. 01-9; Ord. 02-54)

**Minor development** - expansions of twenty-five (25%) percent or less of the existing floor area and/or hard surface area; and/or change of use within the existing site and structures thereon; and/or new floor area up to and including five thousand (5,000) square feet; but not involving planned development, new streets or extensions of any off-tract improvements prorated pursuant to Section 30 (C.40:55D-42) of the Municipal Land Use Law.

**Minor site plan** - a development plan of one or more lots on which is shown: (1) the existing and proposed conditions of the lot, including but not limited to tracts proposed for development; location of existing and proposed structures, driveways and parking areas; existing structures, driveways and parking areas; existing streets, rights-of-way and easements; and information regarding surrounding properties; and (2) any other information that may be reasonably required in order to make an informed determination pursuant to this chapter requiring review and approval of site plans by the Planning Board.

**Minor subdivision** - any subdivision resulting in not more than two (2) lots, fronting upon an existing street not involving any new street, planned development, or the extension of any off-tract improvement. The remaining land shall not be considered as one of the two (2) lots.

**Moderate income housing** - housing affordable according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross household income equal to more than fifty (50%) percent but less than eighty (80%) percent of the median gross household income for households of the same size within the housing region in which the housing is located and is subject to affordability controls.

**Motel** - a series of attached dwelling structures, where each unit has convenient access to parking space for the use of the unit's occupant. The units, with the exception of the manager's or caretaker's, are designed to provide sleeping accommodations for automobile transients or overnight guests without the provision for cooking in any room or suite. A single-family home on the motel property, occupied by the owner/manager, is a permitted accessory use.

**Mulching** - the application of plant or other suitable materials on the soil surface to conserve moisture, hold soil in place, and aid in establishing plant cover.

**Multiple-family dwelling** – three (3) or more residences in a single structure.

**Municipal Agency** - the Township Planning Board or Board of Adjustment, or Governing Body when acting pursuant to this title.

**Natural ground surface** - the ground surface in its original state before any grading, excavating or filling.

**Net acreage** - the acreage of a lot, excluding the area of existing or planned street rights-of-way, and excluding the area of any easements which preclude the development of structures.

**Net area of lot** - See Net acreage.

**New motor vehicle agencies** - a business licensed by the state of New Jersey for the sale of new, or new and used vehicles.

**Noncommercial accessory tower** - any vertical structure accessory to, but not attached to, the principal structure on any residential lot.

**Nonconforming lot** - a lot the area, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

**Nonconforming structure** - a structure, the size, dimension or location of which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

**Nonconforming use** - a use or activity which was lawful prior to the adoption, revision or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption, revision or amendment.

**Nursery** - a commercial operation engaged in growing plants and/or trees under intensive management practices for use in another location. (Ord. 10-27)

**Obstruction** - means and includes but is not limited to any structure, fill, excavation, channel modification, rock, gravel, refuse or matter in, along, across or projecting into any channel, watercourse or flood hazard area which may impede, retard or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the same downstream to pose a danger to life or property.

**Official Map** - a map adopted in accordance with the Municipal Land Use Law, Chapter 291, Laws of 1975, N.J.S.A. 40:55D-2 et seq., or any prior act authorizing such adoption, and which map shall be deemed to be conclusive with respect to the location and width of streets, public parks and playgrounds, drainage rights-of-way, flood control basins, public areas and historic sites.

**Off-site** - not located on the property which is the subject of a development application nor in a contiguous portion of a street or right-of-way.

**On-site** - located on the lot in questions.

**On-tract** - located on the property which is the subject of a development application, or in a contiguous portion of a street or right-of-way.

**Open space** - any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space. Such areas may be improved with only those buildings, structures, streets and off-street parking and other improvements that are designated to be incidental to the natural openness of the land.

**Open space, common - Common open space** means land within or related to a development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

**Orchard** - a commercial operation engaged in the cultivation of trees bearing fruit or nuts or providing other products such as, but not limited to, maple syrup. (Ord. 10-27)

**Outside storage** - the storage of goods, materials, equipment, etc., outside an enclosed building.

**Owner** - any individual, firm, association, syndicate, co-partnership, or corporation having sufficient proprietary interest in the land sought to be subdivided to commence and maintain proceedings to subdivide the same under this title. Such person may also be known as the developer.

**Parking access** - entrances and exits to parking areas.

**Parking area** - an open area, other than a street or public way, used for the parking of automobiles or other vehicles and available to the public, whether for a fee, free, or as an accommodation for clients or customers.

**Parking space or stall** - an off-street space available for the parking of a motor vehicle and which has an area of at least one hundred sixty-two (162) square feet, exclusive of passageways, driveways and access aisles appurtenant thereto and giving access thereto.

**Party immediately concerned** - for purposes of notice, means any applicant for development, the owners of the subject property, and all owners of property and governmental agencies entitled to notice under Section 16.08.050.

**[Percolation] Permeability test** - a test designed to determine the ability of ground to absorb water.

**Performance guarantee** - any security, which may be accepted by a municipality, including cash, provided that a municipality shall not require more than ten (10%) percent of the total performance guarantee in cash.

**Permitted use** - any use which shall be allowed subject to the provisions of this title.

**Pesticide** - any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds and other forms of plant life or viruses, except viruses on or in living man or other animals. The term "pesticide" shall also include any substance or mixture of substances labeled, designed or intended for use as a defoliant desiccant, or plant regulator.

**Photovoltaic energy** - see Solar or photovoltaic energy. (Ord. 12-5)

**Planned development** - planned unit development, planned unit residential development, residential development, residential cluster, planned commercial or planned industrial development.

**Planned residential development** - an area developed as a single entity according to an approved plan and containing a variety of dwelling unit types, open space and recreation areas, and commercial and/or public and quasi-public uses, all primarily for the benefit of the residential development.

**Planning Board** - the Planning Board of the Township of Raritan.

**Plat** - the map of a subdivision or site plan.

**Plat, final - Final plat** means the final map of all or a portion of the subdivision which is presented to the Planning Board for final approval in accordance with the regulations and which, if approved, shall be filed with the County Clerk for recording in accordance with the law. A plat that received final approval shall have been prepared by a New Jersey licensed professional engineer or land surveyor in accordance with all of the provisions of Chapter 141, Laws of 1960, N.J.S.A. 46:26-9.9 et seq.

**Plat, preliminary - Preliminary plat** means a map of a major subdivision containing information required in this title and submitted in accordance with the procedures set forth in this title for the purpose of securing preliminary approval.

**Plat, sketch - Sketch plat** means the sketch map of a subdivision of sufficient accuracy to be used for the purpose of discussion and classification and meeting the requirements of Chapter 16.18.

**Preliminary approval** - the conferral of certain rights prior to final approval after specific elements of a development plan have been agreed upon by the Planning Board and the applicant.

**Preliminary floor plans and elevations** - architectural drawings prepared during early and introductory stages of the design of a project illustrating in a schematic form its scope, scale and relationship to its site and immediate environs.

**Principal use** - the main purpose for which any lot and/or building is used.

**Professional office** - the office of a member of a recognized profession maintained for the conduct of his or her profession. Such professions shall be limited to those of medicine, law, planning, architecture, engineering, art, religion, music and other professions which require a similar degree of training and experience.

**Prohibited use** - any use which shall not be allowed under any circumstances.

**Public areas** - public parks, playgrounds, trails, paths and other recreation areas; other public open spaces; scenic and historic sites; and sites for schools and other public buildings and structures.

**Public drainage ways** - the land reserved or dedicated for the installation of stormwater sewers or drainage ditches or required along a natural stream or watercourse for preserving the channel and providing for the flow of water to safeguard the public against flood damage, sedimentation and erosion.

**Public open space** - an open space area conveyed or otherwise dedicated to a municipality, Municipal Agency, Board of Education, state or county agency or other public body for recreational or conservational uses.

**Public sewer** - sanitary effluent from a building or structure carried in force mains, collectors, interceptors and trunks to a central sewage treatment facility owned and operated by the Raritan Township Municipal Utilities Authority.

**Public use** - any public building, structure or land used primarily for public, quasi-public or public franchise purposes.

**Public water (public water supply system)** - a water supply, storage and distribution system that is operated by the Township of Raritan, the borough of Flemington or the holder of a franchise water utility and consisting of a system of water mains bringing water into the Township, to storage facilities and to distribution lines for service and distribution to multiple users (as differentiated from a single home, single subdivision or commercial or industrial tract or user).

For the purpose of this title, the provision of public water to a development shall mean connection into the existing water supply and distribution system as above described or extension of such system as above described to the site of the development. Water supply primarily from groundwater via a well or wells specifically provided for a development whether on-site or off-tract shall not be considered public water irrespective of whether such well or wells are privately owned and operated or owned and/or operated by a franchise water utility.

**Rainfall excess** - the portion of rainfall which becomes direct surface runoff.

**Recreational facility, commercial** - Commercial recreational facility means recreation facilities operated as a business and open to the general public for a fee. This definition shall include Training Facilities as defined elsewhere in this chapter. (Ord. 02-53)

**Recreation facility, private, noncommercial** - Private noncommercial recreation facility means clubs or recreation facilities, operated by a nonprofit organization and open only to bona fide members of such nonprofit organizations.

**Recreational facility, public** - any use or structure owned and managed by a federal, state, or Municipal Agency, or its duly appointed agent for the purpose of active recreational activities. (Ord. 02-47)

**Recreational training facility** - a building or part thereof in which the training and education of person(s) in various forms of recreational activities is performed for gain or profit. Said use may include accessory retail sales of goods and services associated with the specific recreational activity conducted on the site. Examples shall include: karate/martial arts, swimming, scuba, tennis, batting, fencing, gymnastics, dancing, boxing, and wrestling. (Ord. 02-53)

**Religious use** - a church, mosque, synagogue, temple or other similar place of worship.

**Replacement tree** - a nursery-grown certified tree, properly balled, marked with a durable label indicating genus, species and variety, and satisfying the standards established for nursery stock and installation thereof, set forth by the American Association of Nurseryman. (Ord. 10-27)

**Retail** - establishments engaged in the selling of goods or merchandise to the general public for personal or household consumption in rendering services incidental to the sale of such goods.

**Riding academies and boarding stables** - uses and structures designed for the quartering of horses and/or for providing instruction in horsemanship.

**Right-of-way line** - that line determining the limit of the street rights of the public, either existing or contemplated.

**Roofline** - the highest continuous horizontal line of a roof. On a sloping roof, the roofline is the principal ridge line or the highest line common to one or more principal slope of the roof. On a flat roof, the roofline is the highest continuous line of the roof or parapet, whichever is higher.

**School (private, public or parochial)** - a facility having regular sessions of instruction conducted by regularly employed instructors and teachers who teach those subjects which are fundamental and essential in general education, and which provides education under the supervision of the New Jersey Department of Education or a lawfully constituted ecclesiastical Governing Body, or a corporation meeting the requirements of the New Jersey Department of Education.

**School bus depot** - a building and premises for the storage of buses used primarily for the purposes of transporting children to and from educational institutions, such as but not limited to elementary schools and high schools. Accessory uses may include the repair and maintenance of the buses that are stored on site but shall not include the pick up or drop off of passengers. (Ord. 02-58)

**Secretary** - the person designated by the Planning Board as secretary to the board.

**Sediment** - solid material, both mineral and organic that is in suspension, is being transported, or has been moved from its site or origin by air, water or gravity as a product of erosion.

**Sediment basin** - a barrier or dam built across a waterway or at other suitable locations to retain rock, sand, gravel, or silt or other material.

**Sediment pool** - the reservoir space allotted to the accumulation of submerged sediment during the life of the structure.

**Sedimentation** - the deposition of soil that has been transported from its site of origin by water, ice, wind, gravity or other natural means as a product of erosion.

**Selective cutting** - the removal of larger trees on an individual basis while leaving trees of lesser size. (Ord. 10-27)

**Senior citizen housing** - multi-family dwelling units designed to meet the special needs of the elderly and located in developments generally characterized by higher densities and lower parking requirements other than multifamily housing developments.

**Services** - establishments providing services for entertainment as opposed to products to the general public, including eating and drinking places; finance; real estate; insurance; personal services; motion pictures; amusement and recreation services; health, educational and social services; museums and galleries.

**Shop** - a business totally contained within the building.

**Shopping center** - two (2) or more commercial establishments in excess of fifty thousand (50,000) square feet of gross floor area in one or more structures designed and operated as a coordinated integrated unit with respect to parking service, signs, etc. Uses may include retail and service establishments, offices and office structures, theaters, recreational facilities, motels and hotels and auto service stores where gasoline, oil and grease, batteries, tires and automobile accessories may be supplied and dispensed directly to the motor vehicle trade, and where minor repair service is rendered and uses accessory to all such permitted uses.

**Sign (graphic)** - any announcement, declaration, demonstration, billboard, display, illustration, bulletin board, letters, numbers, logos, models, statues, banners, flags, pennants, clocks, plants, thermometers, or lights or combination of lights used to promote or advertise the interest of any person, group of persons, corporation, place or product when the same is placed, erected, attached, painted, printed or grown so as to be visible to the general public.

A **sign** shall not include any display of official court or public office notices, any official traffic control device, nor shall it include the flag, emblem or insignia of a nation, state, county, municipality, school or religious group.

Sign terms.

1. Advertising sign - See Off-premises sign.
2. Advertising sign means:
  - a. Movement of a sign or any segment thereof, such as rotating, revolving, moving up or down, or any other type of action involving a change of position of a sign body or segment thereof, whether caused by mechanical, illusional or other means;
  - b. Lighted sign on an intermittent or flashing circuit or the movement of any light used in connection with any sign, such as blinking, traveling, flaring or changing degree of intensity or color.
3. Area of facade - the area of the wall of a building, not including roof areas of any type.
4. Banners and pennants - advertising devices affixed to poles, wires or ropes, and made of cloth or plastic materials, etc. Government flags are excluded from this definition.

5. Broken plane - discontinuous surfaces separated by air space.
6. Canopy sign - a sign attached to and suspended from an overhang or ceiling.
7. Cut-out letter or number - any figures cut out in the shape of a letter or number and supported independently on an awning or directly on a wall of a building. Any frame, artificial background support enclosing any letters excludes a letter from the classification of cut-out.
8. Graphic - any device used for visual communication.
9. Ground sign - a freestanding sign mounted on any support other than a structure in which people live, work or congregate.
10. Indirect lighting - the use of fluorescent (and other vapor light) or incandescent lighting set apart from, but directed towards, the surface of the sign.
11. Interior lighting - the use of fluorescent (and other vapor light) or incandescent lighting to illuminate a sign from behind the lettering or from inside the sign structure.
12. Kiosk - a small, many sided structure placed in a public area, upon which posters, signs, messages, etc., are affixed.
13. Landscape signs - signs placed on the ground created through the use of plant materials, ground forms, rocks and other natural materials.
14. Marquees, canopies or awnings - various forms of permanent, temporary or portable roof-like coverings for entrances, windows, etc.
15. Neighborhood identification sign - a sign identifying the entrance to a particular subdivision or other housing project which is recognized by a given name.
16. Off-premises sign - a sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered elsewhere than on the lot or premises where the sign is located.
17. On-premises sign - a sign which directs attention to a business, profession, commodity, service or entertainment conducted, sold or offered on the lot or premises where the sign is located or to which it is affixed.
18. Organization sign display - a sign which combines all of the civic, service, religious, etc., signs normally found scattered along the roadside into one well-designed graphic.
19. Political signs - graphics advertising candidates, for political office or involving a ballot issue.
20. Projecting sign - a graphic attached to a building or other structure and extending from the building wall or structure.

21. Residential nameplate - a graphic permitted for the sole purpose of identifying the following: inhabitants residing therein, the house name or address.

**Silviculture** - the management of any wooded tract of land to insure its continued survival and welfare, whether for commercial or noncommercial purposes, pursuant to a plan approved by the New Jersey Bureau of Forestry. (Ord. 10-27)

**Site plan** - a development plan of one or more lots on which is shown:

1. The existing and proposed conditions of the lot including, but not necessarily limited to, topography, vegetation, drainage, floodplains, marshes and waterways;
2. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility service, landscaping, structures and signs, lighting, screening devices; and
3. Any other information that may be reasonably required in order to make an informed determination pursuant to this chapter requiring review and approval of site plans by the Planning Board.

**Slope** - the degree of deviation of a surface from the horizontal, usually expressed in percent or degree.

**Soil** - an all unconsolidated mineral and organic material of whatever origin on the immediate surface of the earth that serves as a natural medium for the growth of terrestrial plants; it generally overlies bedrock and can be readily excavated.

**Soil erosion and sediment control** - a scheme which fully indicates necessary land treatment measures, including a time schedule for their installation, which shall effectively control soil erosion and sedimentation. Such measures shall be equivalent to or exceed standards promulgated by the State Soil Conservation Committee.

**Solar or photovoltaic energy** - the definition for solar or photovoltaic energy facility or structure shall mean a facility or structure for the purpose of supplying electrical energy produced from solar or photovoltaic technologies, whether such a facility or structure is a principal use, a part of the principal use, or an accessory use or structure. (Ord. 12-5)

**Specimen and historic trees** - any tree with a DBH of twenty-four (24) inches or greater. (Ord. 10-27)

**Spotlight** - a luminaire or bulb which projects light in a specific direction in a narrow beam, typically 45 degrees or less. (Ord. 02-21)

**State Soil Conservation Committee** - an agency of the state established in accordance with the provisions of N.J.S. 4:24-1 et seq.

**Stormwater detention** - any storm drainage technique which retards or detains runoff, such as a detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells, or any combination thereof.

**Story** - that portion of a building included between the surface of any floor and the surface of the floor above it or, if there is no floor above it, then the space between the floor and the ceiling next to it.

**Stream encroachment permit** - a permit issued by the department under the provisions of N.J.S.A. 58:1-26.

**Street** - means any street, avenue, boulevard, road, parkway, viaduct, drive or other way which is an existing state, county or municipal roadway, or which is shown upon a plat heretofore approved pursuant to law, or which is approved by official action, or which is shown on a plat duly filed and recorded in the office of the County Recording Officer prior to the appointment of a Planning Board and the grant to such board of the power to review plats, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas, and other areas within the street lines.

**Street, arterial - Arterial street** means interstate or state highways carrying the major portion of through traffic in the Township.

**Street, collector - Collector street** means a street which carries traffic from minor streets to the secondary, primary and arterial roads. They shall include the principal entrance street(s) of a residential development.

**Street, internal or service - Internal or service street** means minor ways used primarily for vehicular service access to the rear or side of properties otherwise abutting on a street.

**Street, marginal access - Marginal access street** means a street which is parallel to and adjacent to an arterial or primary road, and which provides access to abutting properties, protection from through-traffic, and does not impede traffic flow on the major road.

**Street, minor - Minor street** means a street which is used primarily for access to the abutting properties and not for through-traffic. Such a street is also known as a local street and includes cul-de-sacs.

**Street, primary - Primary street** means state and county roads carrying through-traffic and traffic from one part of the Township to another.

**Street, secondary - Secondary street** means county and local roads designed to move traffic originating in the Township to the primary and arterial highways.

**Stripping** means any activity which removes or disturbs the vegetation surface cover including clearing and grubbing operations.

**Structure** - any assembly of materials above or below the surface of land or water, including but not limited to buildings, paving, fences, dams, levees, bulkheads, dikes, jetties, embankments, wharves, piers, docks, landings, obstructions, pipeline, causeways, culverts, roads, railroads, bridges, and the facilities of any authority, utility, municipality, county, state or other governmental agency.

**Subdivider** - any person or other legal entity commencing proceedings under the provisions of this title to affect a subdivision of land hereunder for himself or herself or for another.

**Subdivision** - the division of a lot, tract or parcel of land into two (2) or more lots, tracts, parcels or other division of land for sale or development. The following shall not be considered subdivisions within the meaning of the chapter if no new streets are created:

1. Divisions of land found by the Planning Board or Subdivision Committee thereof appointed by the chairman to be for agricultural purposes where all resulting parcels are five (5) acres or larger in size;
2. Divisions of property by testamentary or intestate provisions;
3. Divisions of property upon court order, including but not limited to, judgements of foreclosure;
4. Consolidation of existing lots of deed or other recorded instrument; and
5. The conveyance of one or more adjoining lots, tracts, or parcels of land, owned by the same person or persons, and all of which are found and certified by the Administrative Officer to conform to the requirements of the Township zoning ordinance and are shown and designated as separate lots, tracts or parcels on the tax map of the Township. The term subdivision shall also include the term resubdivision.

**Subdivision Committee** - a committee of at least three (3) Planning Board members appointed by the Chairman of the Board for the purpose of reviewing this title and such duties relating to land subdivision which may be referred to this Committee by the Board.

**Substantive certification** - a determination by COAH approving a municipality's housing element and fair share plan in accordance with the provisions of the Fair Housing Act, N.J.S.A. 52:27D-301, et seq., and the regulations promulgated thereunder. A grant of substantive certification shall be valid for a period of six years in accordance with the terms and conditions contained therein.

**Temporary protection** - stabilization of erosive or sediment-producing areas.

**Thinning** - the removal of undesirable, competitive, diseased or damaged trees so as to cultivate and improve the development of remaining trees on the lot. (Ord. 10-27)

**Townhouse** - a one-family dwelling with two (2) common or party walls meeting fire wall construction standards separating it from adjacent units on both sides, or one-party wall in the case of a building at the end of a group of attached dwellings.

**Township Engineer** - the Municipal Official designated by the Township Committee as the Township Engineer.

**Transcript** - a typed or printed verbatim record of the proceedings or reproduction thereof.

**Tree** - any self-supporting woody plant which reaches a typical mature height of twelve (12) feet or more at maturity and has a typical DBH of four (4) inches or greater. (Ord. 10-27)

**Tree canopy** - the top layer or crown of mature trees. (Ord. 10-27)

**Tree farm** - a commercial operation engaged in growing trees under intensive management practices for use in another location. (Ord. 10-27)

**Tutoring** - the teaching or instruction of academic subjects to not more than four (4) students simultaneously.

**Two-family housing** - two (2) units connected by a common wall but having separate, complete living accommodations including kitchen and bathroom.

**Variance** - permission to depart from the literal requirements of the provisions of this title pursuant to Section 16.04.030.

**Vegetation protection** - stabilization of erosive or sediment-producing areas by covering the soil with permanent seeding, producing long-term vegetative cover; short-term seeding, producing temporary vegetative cover, or sodding, producing areas covered with a turf or perennial sod-forming grass.

**Warehouse** - any building or structure in which the principal use involves the storage of goods and materials.

**Watercourse** - any natural or artificial, waterway stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine or wash in which water flows in a definite direction or course, either continuously or intermittently and which has a definite channel, bed and banks, and shall include any area adjacent thereto subject to inundation by reason of overflow of flood water.

**Wholesale business** - any building, premises or land in which or upon which the principal business, operation or industry involves any handling and resale of goods in comparatively large quantities to others, but not usually to the ultimate consumer of an individual item.

**Yard** - an open space which lies between the principal building or group of buildings and the nearest lot line, and which is unoccupied and unobstructed from the ground upward except as herein permitted.

1. **Yard, front** - Front yard means an open space extending the full width of the lot between a principal building and the front lot line, unoccupied and unobstructed from the ground upward except as may be specified elsewhere in this title.

2. Yard, rear - Rear yard means an open space extending the full width of the lot between a principal building and the rear lot line, unoccupied and unobstructed from the ground upward except as may be specified elsewhere in this title.
3. Yard, side - Side yard means an open space extending from the front lot line to the rear lot line between a principal building and the nearest lot line, unoccupied and unobstructed from the ground upward except as may be specified elsewhere in this title.

**Zoning Board of Adjustment** - the Zoning Board of Adjustment of the Township.

**Zoning Officer** - See Administrative Officer.

**Zoning permit** - a document signed by the Administrative Officer:

1. Which is required by ordinance as a condition precedent to the commencement of a use or the erection, construction, reconstruction, alteration, conversion or installation of a structure or building; and
2. Which acknowledges that such structure or building complies with the provisions of the municipal zoning ordinance or variance therefrom duly authorized by the appropriate Municipal Agency.

(Prior code § 15-1.3; Ord. 85-28 § 1; Ord. 87-27 § 3; Ord. 87-30 § 7; Ord. 91-13 § 1; Ord. 94-5 § 1; Ord. 95-2 § 1; Ord. 98-1 § 6; Ord. 98-47 § 5; Ord. 98-50 § 1; Ord. 01-9; Ord. 06-11 § 1; additional amendments noted where applicable)

**Section 2.** Section 16.18.090 "Plat Details" is hereby amended as follows:

- A. General. All maps, plats and sketch plats required to be submitted by this title shall conform to one of the following size configurations: eight and one-half (8-1/2) by thirteen (13) inches, fifteen (15) by twenty-one (21) inches, or twenty-four (24) by thirty-six (36) inches.
- B. Minor Subdivision. All plats shall be based on accurate information at a scale of not more than one-inch equals one hundred (1"=100') feet. The plat shall be designed in compliance with the provisions of Section 16.18.110 and shall show or be accompanied by the following information and information listed in Section 16.18.070, except that the Planning Board may waive any requirement or request additional information where it is clearly appropriate to the particular application. Failure to comply shall render such application incomplete.
  1. Location and Key Map. The entire tract to be subdivided, giving the accurate location of all existing and proposed property and street lines, rights-of-way, and including a key map at a scale where one (1) inch equals not more than one thousand (1,000) feet showing the entire subdivision and its relation to all features shown on the official map and master plan and located within one-half mile of the extreme limits of the subdivision. The plat shall indicate that all boundary corners of the proposed lots have been set with iron pins and shall show their location. This requirement shall also apply to boundary adjustments.
    2. Structures, Wooded Areas and Topography. The location of existing houses, buildings and other structures within the portion to be subdivided and two hundred (200) feet thereof, with accurate dimensions from all existing and proposed lot lines, wooded areas and isolated shade trees more than six (6) inches in diameter, breast high and two

(2) inches in diameter, breast high for flowering and small trees sufficient elevations and contours at five (5) feet vertical intervals for slopes averaging ten (10%) percent or greater, and at two (2) foot vertical intervals for land of lesser slope to determine the general slope and natural drainage of the land, and the high and low points for the portion to be subdivided, and for a distance of two hundred (200) feet thereof. All elevation and contours shall be verified in the field to accurately represent the grade involved and shall be based upon U.S.C. and G.S. datum.

The location of existing houses, buildings and other structures within the portion to be subdivided and two hundred (200) feet thereof, with accurate dimensions from all existing and proposed lot lines, wooded areas and isolated trees in compliance with Section 16.20.040.D. (Ord. 10-27)

3. Owners. The name and address of the owner and/or subdivider, and the name of all adjoining property owners and those across existing or proposed streets as disclosed by the most recent municipal tax records.
4. Other Information. The tax map sheet, date of original preparation and revisions, block and lot numbers, zone district, old name if submitted under a different title, north arrow, written and graphic scales and acreage of the entire tract and those areas to be subdivided.
5. Streets, Easements, Watercourses and Rights-of-Way. The location of existing or proposed streets, roads, easements, public rights-of-way, streams, wetlands, wetland transition areas, state open waters, bridges, culverts, drainage ditches and natural watercourses in and within five hundred (500) feet of the subdivision.
6. Lots. The original and proposed lot layout, lot dimensions, all required setback lines, and lot area of each lot in square feet and acreage. Lots shall be designated by the official lot number designations from the Township Tax Assessor.
7. Endorsements and Certificates. Plats being submitted for minor subdivision approval shall be a boundary survey map drawn by a licensed New Jersey Land Surveyor and so certified on the plat, to be drawn from an actual boundary survey. The plat shall contain a four by five (4x5) inch blank box outlined, located adjacent to the title block, which shall be reserved for the Planning Board's review stamp. The specific purpose and restrictions of any easement or land reserved or dedicated for any use shall be indicated on the plat and shall be included in any deeds conveying title to the properties in question. Minor subdivisions requiring improvements shall contain the following certification:

"This is to certify that the engineering plans for all improvements are based upon topographical data that has been verified in the field by a N.J. licensed land surveyor."

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Signature of N.J. Professional Engineer/Land Surveyor

8. Utility Information. Within the public water and sanitary sewer service areas, the plat shall include the location of existing and proposed lines and connections.
9. [Percolation] Permeability and Soil Logs. In the event public sewers are not available and individual septic systems are proposed, the plat shall show the following information:

For each proposed lot, and pursuant to N.J.A.C. 7:9A-5.2, at least two soil profile pits or one soil profile pit and a minimum of three soil borings in lieu of the second soil profile pit, provided that the soil horizons and substrata observed in the borings are not significantly different from those observed in the first profile pit.

At least two (2) passing [percolation] permeability tests and two acceptable soil logs shall be conducted on each proposed lot. The [percolation] permeability tests and soil log shall be located at least twenty (20) feet from each other, but not more than forty (40) feet from each other, and within the area of the proposed septic field. "Proposed septic field" means that area so designated by the design engineer and located at a lower elevation than the proposed structure containing the waste water facilities and proposed well and conforming to distances established by [N.J.S.A. 2A: 11-9 et seq.] state law and provisions of this Code. It is further intended that all septic systems shall be gravity systems unless undue hardship shall prevent same, as determined by the Planning Board.

10. Other Requirements.

- a. Minor subdivisions shall show the location and indicate the results of all passing, unsatisfactory and abandoned [percolation] permeability tests and soil log [tests]. The date the [percolation] permeability tests and soil logs were taken shall be indicated on the plats as well as the name of the Township witness.
  - b. Where an existing dwelling is part of the subdivision, the plat shall indicate the exact location of the existing well and septic field. No [percolation] permeability test or soil log shall be required for the dwelling.
  - c. No [percolation] permeability test or soil log shall be located closer than one hundred (100) feet of the highest elevation of seasonal surface water.
  - d. All [percolation] permeability tests and soil logs shall be performed at the applicant's expense by a person authorized by state law to undertake such tests and shall be witnessed by a representative of the Township Engineer's Office who shall be notified at least forty-eight (48) hours prior to the conducting of any tests.
  - e. A passing [percolation] permeability test shall be one which meets the requirement of [N.J.S.A. 2A: 11-9 et seq.] N.J.A.C. 7:9A-6.1, and where the water level does not drop faster than one (1) inch in one (1) minute.
  - f. Septic fields shall not be located on slopes greater than fifteen (15%) percent and on slopes six (6%) to fifteen (15%) percent, the fields shall be placed perpendicular to the slope.
11. Floodplain Delineations. Minor subdivisions shall indicate flood hazard area delineations for all permanent streams based upon State Department of Environmental Protection delineations or for the one hundred (100) year flood as directed by the Township Engineer.
12. Steep Slope Calculations in accordance with Section 16.64.130.

13. Plats shall meet the requirements of the Map Filing Law if plats rather than deeds are to be filed with the County Clerk.
  14. Tree Canopy, Historic and Specimen Trees. (Ord. 10-27)
    - a. No more than fifty-five (55%) percent of the existing tree mature woodland tree canopy within the property boundaries shall be removed (Not to be interpreted as 55% of the total lot area). The location of the remaining forty-five (45%) percent of the mature woodland tree canopy to be preserved shall be noted on the landscape plan. Steep slope limits of disturbance and maximum hard surface requirements under Table I shall supersede this section when appropriate. (Ord. 10-27; Ord. 11-3)
    - b. No tree that qualifies as a specimen and historic tree shall be removed unless the applicant replants trees in accordance with Section 16.20.040.T. (Ord. 10-27)
- C. Sketch Plats and Exempt Subdivision. All plats shall be based on accurate information at a scale of not more than one (1) inch equals one hundred (1"=100') feet. The plat shall be designed in compliance with the provisions of Section 16.18.110 and shall show or be accompanied by the following information and information listed in Section 16.18.070, except that the Planning Board may waive any requirement or request additional information where it is clearly appropriate to the particular application. Failure to comply shall render such application incomplete.
1. Location and Key Map. The entire tract to be subdivided, giving the accurate location of all existing and proposed property and street lines, rights-of-way, and including a key map at a scale where one (1) inch equals not more than one thousand (1,000) feet showing the entire subdivision and its relation to all features shown on the official map and master plan and located within one-half (1/2) mile of the extreme limits of the subdivision.
  2. Structures, Wooded Areas and Topography. The location of existing houses, buildings and other structures within the portion to be subdivided and two hundred (200) feet thereof, with accurate dimensions from all existing and proposed lot lines, wooded areas and isolated shade trees more than six (6) inches in diameter, breast high and two (2) inches in diameter, breast high for flowering and small trees and topography within the portion to be subdivided and within two hundred (200) feet thereof shown at two (2) inches in diameter, breast high for flowering and small trees and topography within the portion to be subdivided and within two hundred (200) feet thereof shown at two (2) foot contours.
- The location of existing houses, buildings and other structures within the portion to be subdivided and two hundred (200) feet thereof, with accurate dimensions from all existing and proposed lot lines, wooded areas and isolated trees in compliance with Section 16.20.040.D. (Ord. 10-27)

3. Owners. The name and address of the owner and/or subdivider, and the name of all adjoining property owners and those across existing or proposed streets as disclosed by the most recent municipal tax records.
4. Other Information. The tax map sheet, date of original preparation and revisions, block and lot numbers, zone district, old name if submitted under a different title, north arrow, written and graphic scales and acreage of the entire tract and those areas to be subdivided.
5. Streets, Easements, Watercourses and Rights-of-Way. The location of existing or proposed streets, roads, easements, public rights-of-way, streams, bridges, culverts, drainage ditches and natural water-courses in and within five hundred (500) feet of the subdivision.
6. Lots. The original and proposed lot layout, lot dimensions, all required setback lines, and lot area of each lot in square feet and acreage. Lots shall be designated by consecutive numbers for major subdivisions until given official lot number designations by the Township Tax Assessor.
7. Endorsements and Certificates. Plats being submitted for exempt subdivisions shall be a boundary survey map drawn by a licensed New Jersey Land Surveyor and so certified on the plat, to be drawn from an actual boundary survey. The plat shall contain a four by five inch (4 x 5) blank box outlined located adjacent to the title block, which shall be reserved for the Planning Board's review stamp. The specific purpose and restrictions of any easement or land reserved or dedicated for any use shall be indicated in the plat and shall be included in any deeds conveying title to the properties in question.
8. Utility Information. Where public water or public sewer connections are proposed, the sketch plat shall include the location of existing and proposed lines and connections.
9. [Percolation] Permeability and Soil Logs. In the event public sewers are not available and individual septic systems are proposed, the sketch plat shall show the following information:
  - a. For each proposed lot, and pursuant to N.J.A.C. 7:9A-5.2, at least two soil profile pits or one soil profile pit and a minimum of three soil borings in lieu of the second soil profile pit, provided that the soil horizons and substrata observed in the borings are not significantly different from those observed in the first profile pit.
  - b. Sketch Plat Major Subdivisions. At least one (1) passing [percolation] permeability test and two (2) soil logs shall be made for each five (5) acres to indicate the suitability of the area for individual septic systems.
10. Other Requirements.
  - a. Sketch plats shall show the location and indicate the results of all passing, unsatisfactory and abandoned [percolation] permeability and soil log tests. The

date the [percolation] permeability tests and soil logs were taken shall be indicated on the plats as well as the name of the Township witness.

- b. Where an existing dwelling is part of the subdivision, the sketch plat shall indicate the exact location of the existing well and septic field. No [percolation] permeability test or soil log shall be required for the dwelling.
- c. No [percolation] permeability test or soil log shall be located closer than one hundred (100) feet of the highest elevation of seasonal surface water.
- d. All [percolation] permeability tests and soil logs shall be performed at the applicant's expense by a person authorized by state law to undertake such tests and shall be witnessed by a representative of the Township Engineer's Office who shall be notified at least forty-eight (48) hours prior to the conducting of any tests.
- e. A passing [percolation] permeability test shall be one which meets the requirement of [N.J.S.A. 2A. 11-9 et seq.] N.J.A.C. 7:9A-6-1, and where the water level does not drop faster than one inch in one minute.
- f. Septic fields shall not be located on slopes greater than fifteen (15%) percent and on slopes six to fifteen (15%) percent, the fields shall be placed perpendicular to the slope.

11. Floodplain Delineations. Sketch plats for major subdivisions shall indicate flood hazard area delineations for all permanent streams based upon the most recent H.U.D. Flood Boundary Maps or Natural Resource Inventory Flood Plain/Soils Maps for Raritan Township, whichever places greater restrictions on the use of land. When more accurate information is available, it shall be utilized and indicated on the plat as to boundaries and source.

D. Plat Submitted for Preliminary Approval. The preliminary plat shall be clearly and legibly drawn or reproduced at a scale of not less than one (1) inch equals one hundred (100) feet. Preliminary plats shall be drawn by a licensed New Jersey Professional Engineer or Land Surveyor. Construction sheets shall be drawn, signed and sealed by a licensed N.J. Professional Engineer. Contour maps and preliminary construction plans including road profiles and utility plans shall be submitted as part of the preliminary plat. Separate maps may be required by the Board for topography, utilities and road details. A soil erosion and sedimentation control plan, a grading plan and landscaping plan shall be included. The plat shall be designed in compliance with the provisions of Section 16.20.040 and shall show or be accompanied by the following information and information listed in Section 16.18.070, except that the Planning Board may waive any requirement or request additional information where it is clearly appropriate to the particular application. Failure to comply shall render such application incomplete.

Plans showing the location of proposed shade trees, detention basin landscaping and other landscaping, including preservation of existing vegetation and trees in compliance with Section 16.20.040.D. (Ord. 10-27)

1. Location and Key Map. The entire tract to be subdivided giving the accurate location of all existing and proposed property and street lines, and including a key map at a scale where one (1) inch equals not more than one thousand (1,000) feet showing the entire subdivision and its relation to all feature shown on the official map and master plan, and located within one-half (1/2) mile of the extreme limits of the subdivision, and the zoning classification of the proposed subdivision and of adjacent land.
2. Lots. Lot layout, lot dimensions, all required setback lines and dimensions, individual lot areas in square feet, minimum improvable lot area in sq. ft., and the acreage and square footage of right-of-way easements and dedications. Lots shall be designated by official block and lot numbers as obtained from Tax Assessor.
3. Other Contents. The tract name, tax map sheet and revision date, block and lot numbers, date of plat preparation and any revisions, reference meridian, written scale, graphic scale and the following names and addresses:
  - a. Record owner or owners of property to be subdivided; if other than an individual, the corporate officers or partners or other statutory agent;
  - b. Subdivider;
  - c. Person who prepared map, official seal and license numbers;
  - d. Owners of property within two hundred (200) feet of entire tract being subdivided.
4. Acreage. Acreage of entire tract and those portions to be subdivided to nearest hundredth of an acre.
5. Elevations and Contours. Sufficient elevations and contours at five (5)-foot vertical intervals for slopes averaging ten (10%) percent or greater, and at two (2)-foot vertical intervals for land of lesser slope, to determine the general slope and natural drainage of the land, and the high and low points for a distance of two hundred (200) feet around the entire tract boundary. All elevations shall be verified in the field to accurately represent the grades involved and shall be based upon U.S.C. and G.S. datum.
6. Existing and Proposed Locations.
  - a. Utilities and Roadways: The location and sizes, where appropriate, of existing and proposed property lines, streets, buildings, water-courses, railroads, bridges, culverts, drain pipes, sanitary sewers, water mains, gas mains, and power lines.
  - b. Natural features such as rock outcroppings, wooded areas, shade trees over eight (8) inches in diameter at breast height and two (2) inches in diameter at breast height for flowering and small trees, wetlands, wetland transition areas, streams, state open waters, lakes, ponds, or other significant natural features. This data may be determined by field and/or photogrammetric survey. In forest areas of intense growth, where no construction or clearing is proposed, the vegetative

perimeter need only be indicated. Where more detailed information is available and/or is required elsewhere in this title it shall be utilized.

7. Streets. Preliminary plans and profiles at a scale of not more than one (1) inch equals fifty (50) feet horizontally, and one (1) inch equals five (5) feet vertically including cross-sections every fifty (50) feet or as specified by the Township Engineer of all proposed streets, curbs and gutters within the subdivision and proposed connection with existing or future continuing streets. The distance and radii of all curves along all street lines shall be shown.
8. Gas, Telephone and Electric. Preliminary plans and profiles of proposed utility layouts shall be supplied to the Township at appropriate scales approved by the applicable utility for gas, telephone and electrical service showing connections to existing or proposed systems. All utilities shall be located underground.
9. Potable, Sanitary and Stormwater Management Plans.
  - a. Applicant shall submit potable water, sanitary sewer and stormwater management plans as part of the exhibits required for preliminary plat approval. Plans and profiles shall be at a scale of one (1) inch equals fifty (50) feet horizontally and one-inch equals five (5) feet vertically for all proposed and existing sanitary sewers, storm drains, drainage ditches, and streams within the subdivision, together with the location, sizes, elevations, grades and capacities of any existing sanitary sewer, storm drain, drainage ditch, stream or watercourse to which the proposed facility shall be connected.
  - b. The potable water plan shall be designed to provide each lot within the subdivision with an adequate and continuous supply of potable water. Where a property is located in the public water service area, all lots shall be connected thereto. In the event that the Planning Board determines that such a system is not reasonably accessible, individual wells shall be installed on each lot, but the subdivider may be required by the Planning Board to install within the subdivision a complete water distribution system including provisions for connection to each structure or provide performance bonds necessary to cover the future construction of the system. Until such time as the system is capable of becoming operable, it shall be capped.
  - c. The sanitary sewerage disposal plan shall be designed to convey sanitary waste from each lot through laterals and interceptors of sufficient size, material and capacity to collectors and then to trunk sewers to public treatment facilities. Where a development is located outside the sanitary sewer service area, approved individual septic systems shall be installed for each lot except as noted below. Where a public sanitary sewerage disposal system is not now reasonably accessible as determined by the Planning Board as per Section 16.18.100D.3., but is located within the sanitary sewer service area, the subdivider shall install within the subdivision a complete sewer pipe system including provisions for the connection thereto at each structure. Until such time as the public sanitary sewage disposal system is capable of becoming operable, individual septic systems or

other appropriate and approved waste treatment facilities shall be required.

- d. The stormwater management plan shall be designed in accordance with the standards found in Chapter 16.84. (Ord. 06-11)
10. [Percolation] Permeability Tests and Soil Logs. No subdivision or part thereof proposed to be serviced by individual sewage disposal systems shall be approved where results of the [percolation] permeability tests do not meet with the established requirements of this section or other applicable ordinances or regulations, nor shall any subdivision or part thereof be considered where other physical characteristics of the land would cause septic conditions unsanitary to the public, or contrary to the requirements of this title or other applicable ordinances or regulations. Any remedy proposed to overcome such situations shall first be approved by the appropriate local and state health agency. The following requirements shall be met:
- a. For each proposed lot, and pursuant to N.J.A.C. 7:9A-5.2, at least two soil profile pits or one soil profile pit and a minimum of three soil borings in lieu of the second soil profile pit, provided that the soil horizons and substrata observed in the borings are not significantly different from those observed in the first profile pit.
  - b. Two (2) passing [percolation] permeability tests and two (2) acceptable soil logs shall be conducted on each proposed lot at the applicant's expense by a person authorized by state law to conduct such tests.
  - c. The [percolation] permeability tests shall be witnessed by a representative of the Township Engineer who shall be notified at least forty-eight (48) hours prior to the conducting of any tests.
  - d. The location and results of all passing, unsatisfactory and abandoned [percolation] permeability and soil log tests shall be indicated on the preliminary plat. The date the [percolation] permeability tests and soil logs were taken shall be indicated on the plats as well as the name of the Township witness.
  - e. A passing test shall be one (1) meeting the standards set forth in [N.J.S.A. 2A:11-9, et seq.] N.J.A.C. 7:9A-6.1, as amended, and one (1) where the water level does not drop more than one (1) inch in one (1) minute.
  - f. The [percolation] permeability tests and soil log shall be located at least twenty (20) feet from each other but within forty (40) feet of each other within the area of the proposed septic field. "Proposed septic field" shall mean that area so designated by the design engineer and located at a lower elevation than the proposed structure containing the waste water facilities and proposed well and conforming to distances established by N.J.S.A. 2A:11-9 et seq., and provisions of this Code. It is further intended that all septic systems shall be gravity systems unless undue hardship shall prevent same as determined by the Planning Board.
  - g. No [percolation] permeability test or soil log shall be located closer than two hundred (200) feet of the highest elevation of seasonal surface water.

- h. Septic fields shall not be placed on slopes greater than fifteen (15%) percent, and on slopes six to fifteen (15%) percent, the fields shall be placed perpendicular to the slope.
- i. In areas where on-site or on-tract recharge of stormwaters is proposed, additional [percolation] permeability tests may be required by the Township Engineer or Planning Board.
  - j. In areas of questionable [percolation] permeability, the Township Health Officer may establish the conditions under which the [percolation] permeability tests may be undertaken, including the month of the year and location.
  - k. Where an existing dwelling is part of the proposed subdivision, the exact location of the well and septic field shall be shown. No [percolation] permeability tests or soil log shall be required for that dwelling.
  - l. The applicant and/or subdivider shall conduct all tests in accordance with Chapter 17 of the General Ordinances of Raritan Township.
11. Off-Tract Improvements. When the development of the subdivision or improvements within the subdivision are contingent upon improvements outside the boundaries of the subdivision, information shall be supplied by the subdivider prior to Planning Board consideration for preliminary approval that the improvements outside the subdivision are installed and shall be available to the subdivider, or that the provisions of Section 16.16.060 have been complied with.
12. Setback Lines. All front, rear and side yard setback lines shall be shown and dimensioned on all lots.
13. Open Space. Any open spaces proposed to be dedicated for public use or playgrounds or other public purpose, and the location and use of all such property, shall be shown on the plat. Any improvements proposed for the open space shall be shown on the plat along with the appropriate construction details related to those improvements.
14. Support Capability. When deemed necessary to determine the suitability of the soil to support new construction, the Planning Board shall require test holes or borings to be made by a New Jersey Licensed Engineer or an approved testing laboratory at the expense of the subdivider under the direction of the Township Engineer.
15. Conservation Plans. Plans showing measures designed to minimize soil erosion and sedimentation, such as berms, siltation ponds, sediment traps, detention and-retention basins, landscaping, natural cover, energy dissipaters, and riprap. Plans shall also include, where applicable:
- a. A storm drainage schedule, including a description of all temporary and permanent structures and other techniques for the control of stormwaters, together with a timetable for the construction or installation of such structures, or other techniques;

- b. A schedule containing the timing of and description of temporary and permanent soil stabilization measures, including tracking, scarification, serration of slopes, roughening, mulching, hilling, chemical binders and other suitable methods of soil stabilization;
  - c. The location and description of water interception and diversion measures, such as diversion ditches, dikes, barriers, and disposal structures such as flexible or sectional down drains, flumes, lineal spreaders and the like.
  - d. Lot Grading.
16. Landscaping Plans. Plans showing the location of proposed shade trees, detention basin landscaping and other landscaping, including preservation of existing vegetation. The provisions of Section 16.18.100.D.9. shall be complied with.
17. Easements and Dedications. The specific purpose and restrictions of any easement or land reserved or dedicated for any use shall be indicated on the plat and the proposed use of sites (other than residential) shall be noted.
18. Certifications. The following certifications shall appear on all preliminary plats:
- “This is to certify that the engineering plans contained herein for all improvements are based upon topographical data has been verified in the field by a N.J. Licensed Land Surveyor.”
- 
- Signature of N.J. Professional Engineer/Land Surveyor
19. Floodplain Delineations. Preliminary plats for major subdivision shall indicate flood hazard area delineations for all permanent streams based upon State Department of Environmental Protection delineations or for the one hundred (100) year flood as directed by the Township Engineer.
20. Fire Protection Systems. Plans shall show the location and construction details of proposed fire protection system in accordance with Section 16.18.100D.10.
21. Steep slope calculations in accordance with Section 16.64.130.
22. The plat shall contain a four (4) inch by five (5) inch blank box outlined, located adjacent to the title block which shall be reserved for the Planning Board review stamp.
23. Sight, conservation and drainage easement shall be shown on the plat as required elsewhere in this chapter.
24. Recycling Plan. The subdivision plat shall conform with the requirements of Section 8.36.070 for new developments of multi-family residential units, commercial, institutional, or industrial properties. (Ord. 10-20)

25. Tree Canopy, Specimen and Historic Trees.
- a. No more than fifty-five (55%) percent of the existing mature woodland tree canopy within the property boundaries shall be removed. (Not to be interpreted as 55% of the total lot area). The location of the remaining forty-five (45%) percent of the mature woodland tree canopy to be preserved shall be noted on the landscape plan. Steep slope limits of disturbance and maximum hard surface requirements under Table I shall supersede this section when appropriate. (Ord. 10-27; Ord. 11-3)
  - b. No tree that qualifies as a specimen and historic tree shall be removed unless the applicant replants trees in accordance with Section 16.20.040.T. (Ord. 10-27)
- E. Final Plat. The plat shall be drawn in compliance with the provisions of the State Map Filing Act and shall show or be accompanied by the following information and information listed in Section 16.18.070, except that the Planning Board may waive any requirement or request additional information where it is clearly appropriate to the particular application. Failure to comply shall render such application incomplete.
1. Identification. Date, name and key map of the subdivision, name of owner, written scale, graphic scale, and reference meridian. The final plat shall be drawn at a scale of not more than one (1) inch equals one hundred (100) feet.
  2. Other Contents. Tract boundary lines, rights-of way, lines of streets, street names, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines with accurate dimensions, bearings, distances, arc lengths, central angles, tangents, and radii of all curves, building setbacks and areas of each lot in square feet.
  3. Easement and Dedications. The specific purpose and restrictions of any easement of land reserved or dedicated for any use shall be indicated, and the proposed use of sites other than residential shall be noted. Floodplain delineations for the flood hazard area shall be shown on the plat as indicated on the approved preliminary plat or as directed by the Township Engineer.
  4. Block and Lots. All block, lot and house numbers shall be approved by the Township Engineer and the Tax Assessor and shall be related to existing block and lot numbers as shown on the Official Tax Map of the Township.
  5. Monuments. Location and description of all monuments shall be shown as per the Map Filing Law.
  6. Consent of Owner. Certification that the applicant is agent of owner of the land, or that the owner has given consent to file the map.
  7. Approval. When approval of a plat is required by an officer or body, whether municipal, county or state, approval shall be certified on the plat.
  8. Certifications. The following certifications shall appear on the final plat:

a. "I hereby verify that this map and the survey have been made under my immediate supervision and comply with the provisions of the "Map Filing Law." (Include the following, if applicable).

I do further certify that the monuments as designated and shown herein have been set."

\_\_\_\_\_  
Licensed Land Surveyor (Affix Seal) Date

If monuments are to be set at a later date, the following endorsement shall be shown on the map:

"I certify that a bond has been given to the Township of Raritan guaranteeing the future setting of the monuments shown on this map and so designated."

\_\_\_\_\_  
Township Clerk                      Date

b. "I hereby certify that all of the requirements of the Raritan Township health ordinances have been complied with."

\_\_\_\_\_  
Health Officer

c. I have carefully examined this map and find it conforms with the provisions of the "Map Filing Law" and the municipal ordinances and requirements applicable thereto.

\_\_\_\_\_  
Municipal Engineer (Affix Seal)

d. This application No. \_\_\_\_\_ is approved by the Raritan Township Planning Board as a major subdivision.

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Secretary

9. The final plat shall contain a four by five (4 x 5) inch blank box, outlined, which shall be reserved for the County Planning Board review stamp.

10. Each final plat submission shall include a map clearly and legibly drawn at a scale of one (1) inch equals four hundred (1"=400') feet showing proposed street rights-of-way, tract boundary lines, easements, land to be reserved or dedicated to public use, and all lot lines for the area covered by the final plat. Such map at a scale of one (1) inch equals

four hundred (1"=400') feet need not be filed with the Hunterdon County Recording Officer.

(Ord. 03-7 § 16.18.090)

**Section 3.** Section 16.64.020 "Permitted Modifications--- Cluster Residential Development" is hereby amended as follows:

Any major residential subdivision in zone districts R-1A, R-2, R-3, R-4, R-5 and R-6 meeting the requirements of this section may apply to the Planning Board for approval as a cluster subdivision under the provisions of this title and in accordance with the following requirements:

- A. Maximum Number of Lots. The maximum number of lots to be permitted shall be the fewer number of lots resulting from the following:
1. The maximum number of lots to be permitted shall be no greater than the number derived by preparation of a sketch plat of the subject property showing a development with conventional lot sizes. Such sketch plat shall be prepared at a scale of not less than one-inch equals one hundred feet. Such sketch plat and the resulting number of lots thereon shall be based upon and shall include: (1" =100').
    - a. Street layout with street right-of-way widths conforming to the master plan and the development ordinance;
    - b. Steep slope analysis of topography shown on such sketch plat at intervals of at least ten (10) feet as required by Chapter 16.68;
    - c. Location of any one hundred (100) year floodplains;
    - d. Location of wetlands and wetland transition areas based upon a letter of interpretation from NJDEP;
    - e. Lot areas conforming to the zoning district requirements indicating lot area and lot width. A lot circle shall be inscribed in such lot the location and diameter of which shall conform to zoning ordinance requirements pertaining to the zoning district within which the property is located;
    - f. In addition, such sketch plat shall show all other information required by the checklist for sketch plats and Section 16.18.090 including where public sewers are not proposed the requirement of Section 16.19.090 B.9., which requires at least one passing [percolation] permeability test and soil log for each five (5) acres of such property. The location of all unsatisfactory and abandoned [percolation] permeability tests shall be indicated;
    - g. Where public water supply is not available, a well test report as required by Section 16.18.140 shall be submitted;
    - h. If public water supply is proposed, a letter from the water supplier shall be submitted stating that safe and adequate service to the anticipated number of units can be supplied;

- i. If public sewers are to be provided, a written communication from RTMUA shall be submitted stating that sewage treatment capacity for the number of units shown on the sketch plat has been reserved;
  - j. If public water supply and/or public sewers are proposed the route of extension of such to the property and the location of any required pumping station shall be indicated.
2. Preparation of a sketch plat of the subject property showing a development with conventional lot size without both utilities (public sewer and public water). Such sketch plat and the resulting number of lots thereon shall be based upon and shall include:
- a. A steep slope analysis;
  - b. Location of any one hundred (100) year floodplains;
  - c. Location of any wetlands as defined by the U.S. Fish and Wildlife Service;
  - d. Provisions of Section 16.64.090.

Such conventional lot sizes without both utilities (public sewer and public water) shall meet all minimum lot area and minimum lot width requirements for the district in which located.

**Section 4.** If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 5.** A copy of this Ordinance shall be forwarded, after introduction, to the Raritan Township Planning Board for a Master Plan consistency review in accordance with N.J.S.A. 40:55D-64.

**Section 6.** The Ordinance shall take effect upon its adoption, passage and publication according to law.

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

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Mayor Mangin read by title Ordinance #18-10.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY REPEALING AND REPLACING ORDINANCE 16-23 ENTITLED "AN ORDINANCE REPEALING AND REPLACING SECTION 15.04.030 ENTITLED FEES-BIANNUAL FEE SCHEDULE REPORT-NEW CONSTRUCTION SURCHARGE"

Mayor Mangin asked for a motion to open public hearing.

Motion by Gilbert, seconded by Reiner

**MOTION UNANIMOUSLY CARRIED**

No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-10 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

**NOES:** O'Brien

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

Ordinance advertised March 12, 2018 The Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #18-10**

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY REPEALING AND REPLACING ORDINANCE 16-23 ENTITLED "AN ORDINANCE REPEALING AND REPLACING SECTION 15.04.030 ENTITLED FEES-BIANNUAL FEE SCHEDULE REPORT-NEW CONSTRUCTION SURCHARGE"**

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

**Section 1.** Ordinance 16-23 entitled "An Ordinance Repealing and Replacing Section 15.04.030 entitled 'Fees-Biannual Fee Schedule Report-New Construction Surcharge'" is hereby repealed in its entirety and replaced with the following:

A. Waiver of construction permit surcharge and enforcing agency fees for construction to promote accessibility by disabled persons, as stated in 52:27D-1263, the "State Uniform Construction Code Act"

(1) No person shall be charged a construction permit surcharge fee or enforcing agency fee, except those fees for sub-code inspections not performed by Township employees, for any construction, reconstruction, alteration, or home improvement designed and undertaken solely to promote accessibility by disabled persons to an existing private structure, or any of the facilities contained therein. For the purposes of this section, "disabled person" means a person who has the total and permanent inability to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment, including blindness, and shall include, but not be limited to, any person who is disabled pursuant to the Federal Social Security Act (42 USC §416), or the Federal Railroad Retirement Act of 1974 (45 USC §231 et seq.), or is rated as having a 60 percent disability or higher pursuant to any federal law administered by the United States Veterans Administration. For purposes of this paragraph "blindness" means central

visual acuity of 20/200 or less in the better eye with the *use* of correcting lenses. An eye which is accompanied by a limitation in the field of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.

B. The fee for construction permit shall be the sum of the sub-code fees listed in Subsection B (1) through (5) hereof and shall be paid before the permit is issued. Excluded from the construction fee schedule set forth herein is and unattached structure under thirty (30) inches in height which is an accessory to landscaping development on the property. For purposes of example only, not limitation, such landscaping structures may include railroad ties, rock gardens, patio pallet construction and similar items. All Use Groups and construction classifications referenced herein are as defined by the New Jersey Uniform Construction Code.

(1) **The Minimum Building Subcode Fee** shall be fifty dollars (\$50.00) for the R-2 Use Group, fifty dollars (\$50.00) for the R-3 and R-5 Use Groups and one hundred dollars (\$100.00) for all other Use Groups.

(a) New construction and additions. Fees for new construction shall be based upon the volume of the structure in cubic feet.

i. For the following Use Groups, the fee shall be based on the formula of volume times \$0.035. B (Business), H (High Hazard), I-1 through I-4 (Institutional), A-1 through A-5 (Assembly), M (Mercantile), R-1 through R-5 (Residential) and E (Educational).

ii. For the following use groups, the fee shall be based on the formula of volume times two and one-half cents (\$0.025): S-1 through S-2 (Storage), U (Utility) and F-1 through F-2 (Factory).

(a) The fee is \$0.025 per cubic foot of volume for the first fifty thousand (50,000) cubic feet or part thereof

(b) The fee is \$0.018 per cubic foot of volume for the second fifty thousand (50,000) cubic feet or part thereof

(c) The fee is \$0.014 per cubic foot of volume of the structure over one hundred thousand (100,000) cubic feet

(d) The fee for commercial farm buildings, as defined by the New Jersey Uniform Construction Code, N.J.A.C 5:23-3.2(d) 1. shall not exceed \$2,290.00. (3) Decks and raised patios shall be charged the greater of a minimum fee of one hundred dollars (\$100.00) or thirty dollars (\$30.00) per thousand dollars of work.

(b) Renovations, alterations, and repairs. Fees for renovations, alterations, and repairs shall be based upon the estimated cost of the work. (The applicant shall submit cost data by an architect or engineer of record, a recognized estimating firm or by contractor bid. The Department will review the construction cost for acceptability). The fees shall be as follows:

i. If the estimated cost is between \$1.00 and \$100,000.0 the fee shall be thirty dollars (\$30.00) per thousand dollars (\$1,000.00).

ii. If the estimated cost is over one hundred thousand dollars (\$100,000.00) the fee shall be twenty-three dollars (\$23.00) per thousand

dollars (\$1,000.00).

- ii. If the estimated cost is over two hundred thousand dollars (\$200,000.00) the fee shall be twenty-three dollars (\$23.00) per thousand dollars (\$1,000.00).
- iv. If the estimated cost is over \$300,000.00, the fee shall be \$23.00 per \$1,000.

(c) Additions and renovations, alterations or repairs. Fees for additions and renovations, alterations or repairs shall be a combination of rates set by Subsection B (I) (a) and (b) above.

- i. All roof replacements and overlays shall have a flat fee of fifty dollars (\$50.00) for the R-3 and R-5 Use Groups, and thirty dollars (\$30.00) per one thousand (\$1,000.00) of the estimated cost for all other Use Groups.
- ii. All siding replacements shall have a flat fee of fifty dollars (\$50.00) for R-3 and R-5 Use Groups. A fee of thirty dollars (\$30.00) per one thousand dollars (\$1,000.00) of the estimated cost shall be for all other Use Groups.
- iii. Radon vent systems shall be the minimum fee for the first vent stack, and fifty percent (50%) of the minimum fee for each additional vent stack.

(d) Pool fees shall be as follows:

- i. Swimming pools, above ground.
  - (a) R-5 Use group: one hundred fifty dollars (\$150.00).
  - (b) All other Use Groups: one hundred fifty dollars (\$150.00).
  - (c) Seasonal use pools, those which are not permanent in nature and are regulated by the New Jersey Uniform Construction Code, shall be a fee of forty dollars (\$40.00).
- ii. Swimming pools, in-ground:
  - (a) R-5 Use Group: one hundred fifty dollars (\$150.00).
  - (b) other Use Groups: one hundred fifty dollars (\$150.00).
- iii. Pool Barriers:
  - (a) For R-5 Use Group the fee shall be seventy-five dollars (\$75.00).
  - (b) For all other Use Groups, the fee shall be one hundred dollars (\$100.00)
- iv. For R-3 and R-5 Use Groups, the fee shall be one hundred twenty dollars (\$120.00).
- v. All other Use Groups shall be three hundred dollars (\$300.00)
- vi. Certificate of occupancy fee for asbestos abatement shall be fifty percent (50%) of the Minimum Fee.

(e) Fences (over six (6) feet in height):

- i. For R-3 and R-5 Use Groups, the fee shall be fifty dollars (\$50.00).
- ii. All other Use Groups shall be one hundred dollars (\$100.00)

- (f) Sheds as defined in the New Jersey Uniform Construction Code:
  - i. Those not requiring a foundation system:
    - (a) For R-3 and R-5 Use Groups, the fee shall be fifty dollars (\$50.00).
    - (b) All other Use Groups shall be one hundred dollars (\$100.00)
  - ii. Sheds with a required foundation system:
    - (a) For R-3 and R-5 Use Groups, the fee shall be one hundred dollars (\$100.00).
    - (b) All other Use Groups shall be three hundred dollars (\$300.00)
- (g) Signs:
  - i. Temporary signs shall be one hundred dollars (\$100.00).
  - ii. Permanent Signs:
    - (a) Wall or surface mounted signs: one hundred dollars (\$100.00)
    - (b) Pylon and monument signs: two hundred dollars (\$200.00)
- (h) Demolition: flat rate, depending on building class when occupied as follows:
  - i. Class 1: two hundred dollars (\$200.00)
  - ii. Class 2: one hundred dollars (\$100.00)
  - iii. Class 3: sixty-five dollars (\$65.00)
  - iv. Demolition of swimming pools:
    - (a) Above ground: Minimum Fee
    - (b) In Ground: Same as established rate for Class 3 demolition.
    - (c) Demolition of shed: Minimum Fee
- (i) Installation or erection of temporary structures, tents, tensioned membrane structures, canopies and greenhouses, as defined in N.J.A.C. 5:23 shall be one hundred dollars (\$100.00)
- (j) Buildings moved or relocated, unit rate: sixteen dollars (\$16.00) per one thousand dollars (\$1000.00), with a Minimum Fee of ninety-five dollars (\$95.00); unit rate times the total estimated cost of the following:
  - i. Cost of moving
  - ii. Cost of new foundation
  - iii. All other costs necessary to complete structure (l)
  - iv. Fees for retaining walls shall be as follows:
    - (a) The fee for retaining wall with a surface area greater than five hundred fifty (550) square feet that is associated with a Class 3 residential structure shall be one hundred dollars (\$100.00)
    - (b) The fee for a retaining wall with a surface area of five hundred fifty (550) square feet or less that is associated with a Class 3 residential structure shall be fifty dollars (\$50.00)
    - (c) The fee for a newly constructed retaining wall of any size at other than a Class 3 residential structure shall be based on the cost of the construction, and shall be a fee at the same rate of B(1)(b) above
- (k) Photovoltaic systems shall be a flat fee of one hundred forty dollars (\$140.00) for Use Groups R-3 and R-5. All other Use Groups shall be a fee based on the designated kilowatt rating of each solar photovoltaic system as follows:

- i. One to 50 kilowatts, the fee shall be one hundred forty dollars (\$140.00)
- ii 51 to 100 kilowatts, the fee shall be two hundred sixty dollars (\$260.00)
- iii. Greater than 100 kilowatts, the fee shall be seven hundred fifty dollars

(\$750.00)

(2) **The Minimum Plumbing Subcode Fee** shall be fifty dollars (\$50.00) for the R2 Use Group, fifty dollars (\$50.00) for the R-3 and R-5 Use Groups and one hundred dollars (\$100.00) for all other Use Groups. All other fees shall be as stated below.

(a) The fee shall be thirteen dollars (\$13.00) per drip pan, humidifier, whirlpool tub, combustion air, fixture, vent or stack. For the purpose of computing this fee, fixtures, vents or stacks shall include but not be limited to water closets, urinals, bidets, lavatories, sinks, showers, floor drains, washing machines, dishwashers, hose bibs, drinking fountains, indirect waste or water connections, residential solar systems, roof drains, storm drains, leaders, sump-pumps and conductors.

(b) The fee shall be seventy-five dollars (\$75.00) per special device. For the purpose of computing the fee, special devices shall include but not be limited to sewage ejectors, gas piping, water conditioning equipment, grease, oil, sand or other type inceptors, backflow devices, booster pumps, water heaters, heat exchangers, boilers or furnaces, air conditioning units, refrigeration systems and solar systems.

(c) The Minimum Fee shall be charged for each residential sewer, septic and water utility connection. The fee for commercial, industrial and private on-site sanitary and storm sewers, domestic water lines and combination mains shall be seventy-five dollars (\$75.00) for up to and including the first one hundred feet (100'). Each additional ten feet (10') or portion thereof shall be an additional twenty dollars (\$20.00) per ten feet (10') or portion thereof.

(d) The Minimum Fee shall be charged for each of the following; furnace, water heater, swimming pool water heater, water heater coil, ultraviolet system, central air conditioning, hydronic piping, refrigeration piping, pool drains, steam shower units, backflow preventer reports and tempering valves. Gas piping, liquefied petroleum gas piping and fuel oil piping shall be the Minimum Fee and includes provisions for the installation of up to four (4) appliances. The fifth and each additional appliance shall be an additional thirteen-dollar (\$13.00) fee.

(e) One hundred forty dollars (\$140.00) shall be for each new or replacement complete hot water and steam boiler system installation consisting of a boiler, backflow preventer, temperature mixing valve control, domestic hot water coil or external water maker coil unit and tank, combustion air or any combination thereof.

(f) The Minimum Fee shall be for single boiler hydronic piping for the R-5 Use Group. For all other Use Groups, the Minimum Fee shall be per floor of each structure.

(g) The Minimum Fee shall be per unit for commercial-industrial refrigeration piping.

(3) **The Minimum Mechanical Subcode Fees**, which are only applicable to the R3 and R-5 Use Groups, shall be seventy-five dollars (\$75.00), the fees shall otherwise be as follows:

(a) The fee for the replacement of an individual Mechanical device shall be the minimum fee for the first device, and fifty percent (50%) of the minimum fee for each additional device and shall include inspection for required combustion air. Exceptions to this fee is as follows;

- (i) Generators shall be one hundred dollars (\$100.00)
- (ii) Gas piping shall be seventy-five dollars (\$75.00)
- (iii) Hot water boilers shall be one hundred forty dollars (\$140.00)
- (iv) Steam boilers shall be one hundred forty dollars (\$140.00)

(b) No separate fee shall be for existing gas, fuel oil, or water piping connections associated with the mechanical equipment inspected.

(c) A flat fee of one hundred forty dollars (\$140.00) shall be for each new or replacement complete HVAC system installation, consisting of a furnace, compressor, a-coil, drip pan, condensate pump or discharge line, humidifier, combustion air, or any combination thereof.

(4) **The Minimum Electrical Subcode Fee** shall be fifty dollars (\$50.00) for the R-2 Use Group, fifty dollars (\$50.00) for the R-3 and R-5 Use Groups, and one hundred dollars (\$100.00) for all other use groups. All other fees shall be as stated below:

(a) The fee for electrical fixtures and devices, for the first fifty (50) fixtures or switches shall be the fifty dollars (\$50.00). Each additional twenty (20) receptacles, fixtures, switches or portion thereof shall be ten dollars (\$10.00). For the purpose of computing this fee, receptacles, fixtures or switches shall include lighting outlets, smoke detectors, heat detectors, fluorescent fixtures and receptacles, thermostats, or motors of one less than (1) horsepower.

(b) The fee for alarm systems shall be as follows:

- i. For R-2 Use Group the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$10.00).
- ii. For R-3 and R-5 Use Groups, the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$10.00).
- iii. All other Use Groups, the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$10.00).

(c) The fee for data systems shall be as follows:

- i. For R-2 Use Group the fee for the first ten (10) devices shall be fifty-five dollars (\$55.00), each additional twenty (20) devices shall be ten dollars (\$10.00).

ii. For R-3 and R-5 Use Groups, the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$130.00).

iii. All other Use Groups, the fee for the first ten (10) devices shall be fifty dollars (\$50.00), each additional twenty (20) devices shall be ten dollars (\$10.00).

(d) The fee for in floor heating systems shall be the Minimum Fee for the first five (5) kilowatts. Each additional five (5) kilowatts shall be fifty percent (50%) of the Minimum Fee.

(e) The fee for motors shall be the minimum fee or as follows:

i. 1 to 10 horsepower shall be twenty dollars (\$20.00)

ii. 10.1 to 50 horsepower shall be sixty dollars (\$60.00)

iii. 50.1 to 100 horsepower shall be one hundred dollars (\$100.00)

iv. 100.0 to 500 horsepower shall be four hundred dollars (\$400.00).

v. Over 500 horsepower shall be six hundred dollars (\$600.00).

(f) The fee for electrical devices, transformers and generators shall be the minimum fee or as follows:

i. 1 to 10 kilowatts shall be twenty dollars (\$20.00).

ii. 10.1 to 50 kilowatts shall be fifty-five dollars (\$55.00) for R-2 Use Group, sixty dollars (\$60.00) for R-3 and R-5 Use Groups, and one hundred dollars (\$100.00) for all other Use Groups.

iii. 50.1 to 100 kilowatts shall be one hundred ten dollars (\$110.00) for R-2 Use Group, one hundred twenty dollars (\$120.00) for R-3 and R-5 Use Groups, and two hundred dollars (\$200.00) for all other Use Groups.

iv. 100.1 to 500 kilowatts shall be three hundred thirty dollars (\$330.00)

(5) Over 500 kilowatts shall be three hundred thirty dollars (\$330.00) plus one hundred twenty dollars (\$120.00) for each additional one hundred (100) kilowatts or portion thereof over five hundred (500) kilowatts

(g) For the purpose of computing the fee, typical electrical device sizes are listed below, but the proper kilowatt rating for the applied for device must be noted on the application so that the proper fee can be assessed. This typical list is by no way all inclusive.

i. Dishwasher: approximately one and two-tenths (1.2) kilowatts

ii. Water heater: approximately four and five-tenths (4.5) kilowatts

iii. Electric dryer: approximately five (5) kilowatts

iv. Apartment/residential sized range: approximately eight (8) kilowatts

(5) Electric baseboard heat: approximately two hundred fifty (250) watts per foot

(h) The fee for low-voltage service equipment including service panels, sub-panels and service entrances shall be as follows

i. 1 to 199 amperes shall be fifty dollars (\$50.00)

ii. 200 amperes shall be one hundred dollars (\$100.00)

iii. 200.01 to 800 amperes shall be two hundred dollars (\$200.00).

iv. 800.01 to 2000 amperes shall be three hundred dollars (\$300.00).

v. Over 2000 amperes shall be three hundred dollars (\$300.00) plus one

hundred dollars (\$100.00) for each additional five hundred (500) amperes or portion thereof over two thousand (2000).

(i) High voltage service over six hundred (600) volts shall be five hundred dollars (\$500.00).

(j) Construction of temporary pole service shall be fifty dollars (\$50.00).

(k) The fee for pools shall be as follows:

- i. Above ground pools:
- ii. R-5 Use Group shall be seventy dollars (\$70.00), which includes pumps, convenient outlet and bonding.
- iii. All other Use Groups shall be two hundred percent (200%) of the Minimum Fee, which includes pumps, convenient outlet and bonding.
- iv. In-Ground pools
- v. Pool heaters, subpanels, lights and sweepers shall be an additional fee at the published rates.
- vi. Annual pool inspections for commercial pools shall be one hundred dollars (\$100.00)

(l) Trailer connections shall be fifty dollars (\$50.00).

(m) The fee for photovoltaic systems shall be based on the designated kilowatt rating of each solar photovoltaic system as follows:

- i. One (1) to fifty (50) kilowatts shall be one hundred forty dollars (\$140.00).
- ii. Fifty-one (51) to one hundred (100) kilowatts shall be two hundred sixty dollars (\$260.00).
- iii. Over one hundred (100) kilowatts shall be two hundred and sixty dollars (\$260.00) plus one dollar (\$1.00) per panel installed.

(5) **The Minimum Fire Subcode Fee** shall be fifty dollars (\$50.00) for the R-2 Use Groups, fifty dollars (\$50.00) for the R-3 and R-5 Use Groups, and seventy-five dollars (\$75.00) for all other use groups. All other fees shall be as stated below:

(a) Sprinkler heads shall be as follows:

- i. 1 to 5 sprinkler heads shall be the Minimum Fee
- ii. 6 to 20 sprinkler heads shall be one hundred dollars (\$100.00)
- iii. 21 to 100 sprinkler heads shall be one hundred fifty dollars (\$150.00)
- iv. 101 to 200 sprinkler heads shall be two hundred fifty dollars (\$250.00)
- v. 201 to 400 sprinkler heads shall be six hundred twenty-five dollars (\$625.00)
- vi. 401 to 1000 sprinkler heads shall be eight hundred fifty dollars (\$850.00)
- vii. 1001 to 1400 sprinkler heads shall be one thousand one hundred dollars (\$1100.00)
- viii. 1401 to 1800 sprinkler heads shall be one thousand three hundred fifty dollars

- (c) (\$1350.00)
    - ix. Over 1800 sprinkler heads shall be one thousand six hundred dollars (\$1600.00)
- (c) Standpipe system shall be three hundred dollars (\$300.00) for each riser
- (c) Sprinkler valves shall be as follows:
  - i. Alarm valves shall be one hundred dollars (\$100.00) each
  - ii. Dry pipe valves and pre-action valves shall be one hundred dollars (\$100.00) each
- (d) Fire pumps shall be two hundred dollars (\$200.00) each
- (e) Private fire hydrants shall be one hundred dollars (\$100.00) each
- (f) Freestanding fire department connection installation shall be one hundred dollars (\$100.00)
- (g) Underground fire service mains shall be as follows:
  - i. 1 to 100 feet shall be one hundred dollars (\$100.00)
  - ii. Each additional ten feet (10') shall be twenty dollars (\$20.00) per ten feet (10') or portion thereof.
- (h) Fire alarms shall be as follows:
  - i. Alarm, supervisory, monitoring modules and signaling devices shall be;
    - (a) For R-2 Use Group the fee shall be fifty dollars (\$50.00) for the first twelve (12) devices, and five dollars (\$5.00) for each additional ten (10) devices.
    - (b) For R-3 and R-5 Use Groups the fee shall be fifty dollars (\$50.00) for the first twelve (12) devices, and five dollars (\$5.00) for each additional ten (10) devices.
  - ii. For all other Use Groups the fee shall be seventy-five dollars (\$75.00) for the first twelve (12) devices, and ten dollars (\$10.00) for each additional ten (10) devices.
  - iii. Control panels and booster panels shall be one hundred dollars (\$100.00) each
- (i) Pre-engineered wet chemical, FM-200, carbon dioxide, inergen and foam systems shall be one hundred dollars (\$100.00) each.
- (j) Smoke control systems shall be two hundred seventy-five dollars (\$275.00) each.
- (k) Heat producing devices including prefabricated fireplaces, fireplace inserts, solid fuel stoves, pellet stoves, furnaces, metal chimneys, chimney liners and generators shall be fifty dollars (\$50.00).
- (l) Commercial kitchen exhaust systems and hazardous exhaust systems shall be two hundred twenty dollars (\$220.00) each.

(m) Installation for fuel storage tanks shall be as follows:

- i. The fee for the R-5 Use Group shall be seventy-five dollars (\$75.00) each.
- ii. All other Use Groups shall be one hundred twenty dollars (\$120.00) each.

(n) Installation of water storage tanks shall be two hundred fifty dollars (\$250.00) each for all Use Groups.

(o) Removal of an underground storage tank shall be seventy-five dollars (\$75.00) each.

(p) Removal of above ground storage tanks shall be as follows:

- i. The fee for R-3 and R-5 Use Groups shall be fifty dollars (\$50.00) for each tank removed.
- ii. All other Use Groups shall be one hundred dollars (\$100.00) each. (q) Installation of CO2 cylinders shall be one hundred dollars (\$100.00) for the first one hundred (100) pounds and fifty dollars (\$50.00) for each additional one hundred (100) pounds or portion thereof.

(6) **Elevator Subcode Fee**, the initial registration fee for each elevator device in any structure that is not an R-5 Use Group shall be fifty dollars (\$50.00). A re-registration fee of fifty dollars (\$50.00) shall be required for each structure containing one (1) or more elevator devices upon change of ownership.

(a) Fees for witnessing acceptance tests and performing inspections in Use Groups that are not R-5 shall be as follows:

- i. Traction and winding drum elevators with 1 to 10 floors shall be two hundred twenty-five dollars (\$225.00)
- ii. Traction and winding drum elevators with over 10 floors shall be three hundred seventy-five dollars (\$375.00)
- iii. Hydraulic elevators shall be two hundred dollars (\$200.00)
- iv. Roped hydraulic elevators shall be two hundred twenty-five dollars (\$225.00)
- v. Escalators and moving walks shall be two hundred dollars (\$200.00)
- vi. Dumbwaiters/platform lifts, chairlifts, stairway chairlifts, inclined and vertical wheelchair lifts and man lifts shall be fifty dollars (\$50.00)
- vii. Additional charges for devices with any of the equipment listed below shall be as follows:

- (a) Oil buffers shall be forty dollars (\$40.00) each
- (b) Counterweight governor and safeties shall be one hundred dollars (\$100.00) each
- (c) Auxiliary power generators shall be seventy-five dollars (\$75.00) each. (d) Elevator devices in

structures in Use Group R-5 shall be one hundred fifty dollars (\$150.00). This fee shall be waived when signed statement and supporting inspection and acceptance test reports are filed by and approved qualified agent or agency in accordance with N.J.A.C. 5:23-2.19 and 5:23-2.20 (e) The fee for witnessing acceptance tests and performing inspections of alterations shall be fifty dollars (\$50.00)

(b) Fees for routine and periodic tests and inspections for elevator devices in structures not in Use Group R-5 shall be as follows:

i. Six (6) month periodic/routine inspection of elevator devices shall be as follows:

- (a) Traction and winding drum elevators with 1 to 10 floors shall be one hundred forty dollars (\$140.00)
- (b) Traction and winding drum elevators with over 10 floors shall be one hundred eighty dollars (\$180.00)
- (c) Hydraulic elevators shall be one hundred dollars (\$100.00)
- (d) Roped hydraulic elevators shall be one hundred forty dollars (\$140.00)
- (e) Escalators and moving walks shall be one hundred forty dollars (\$140.00)

(c) One (1) year periodic inspection and witnessing of tests of elevator devices, which shall include a six (6) month routine inspection shall be as follows:

- i. Traction and winding drum elevators with 1 to 10 floors shall be two hundred dollars (\$200.00)
- ii. Traction and winding drum elevators with over 10 floors shall be two hundred forty dollars (\$240.00)
- iii. Hydraulic elevators shall be one hundred fifty dollars (\$150.00)
- iv. Roped hydraulic elevators shall be two hundred dollars (\$200.00)
- v. Escalators and moving walks shall be three hundred twenty dollars (\$320.00)
- vi. Dumbwaiters/chairlifts shall be eighty dollars (\$80.00)
- vii. Inclined and vertical wheelchair lifts shall be one hundred twenty dollars (\$120.00)

(d) Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:

- i. Oil buffers shall be forty dollars (\$40.00) each
- ii. Counterweight governor and safeties shall be eighty dollars (\$80.00)
- iii. Auxiliary power generators shall be fifty dollars (\$50.00)

(e) The fee for the three (3) or five (5) year inspection of elevator devices shall be as follows:

- i. Traction and winding drum elevators with 1 to 10 floors (five-year

- inspection) shall be three hundred forty dollars (\$340.00)
- ii. Traction and winding drum elevators with over 10 floors (five-year inspection) shall be three hundred eighty dollars (\$380.00)
- iii. Hydraulic and roped hydraulic elevators (3-year inspection) shall be two hundred fifty dollars (\$250.00)
- iv. Hydraulic and roped hydraulic elevators (5-year inspection) shall be one hundred fifty dollars (\$150.00)

(f) The fees set forth in Subsection B(6)(b) above shall be paid annually in accordance with the following schedule, which is based on the average of the fees to be collected over a five (5) year period:

i. Basic annual fees shall be as follows:

- (a) Traction and winding drum elevators with 1 to 10 floors shall be three hundred seventy dollars (\$370.00)
- (b) Traction and winding drum elevators with over 10 floors shall be four hundred fifty dollars (\$450.00)
- (c) Hydraulic elevators shall be two hundred seventy dollars (\$270.00)
- (d) Roped hydraulic elevators shall be three hundred dollars (\$300.00)
- (e) Escalators and moving walks shall be four hundred sixty dollars (\$460.00)
- (f) Dumbwaiters/chairlifts shall be eighty dollars (\$80.00)
- (g) Chairlifts, stairway chairlifts, inclined and vertical wheelchair lifts and man lifts shall be one hundred twenty dollars (\$120.00)

ii. Additional charges for devices equipped with the following features shall be charged as follows:

- (a) Oil buffers shall be forty dollars (\$40.00) each
- (b) Counterweight governor and safeties shall be eighty dollars (\$80.00) each
- (c) Auxiliary power generators shall be fifty dollars (\$50.00) each

iii. An administrative fee of fifteen percent (15%) will also be charged to each elevator permit issued.

(7) **The fees for Plan Review shall be as follows:**

(a) The fee for plan review shall be ten percent (10%) of the amount to be charged for the construction permit and shall be paid before the plans are reviewed.

(b) The fee for review of any amendment or change to a plan that has already been released, shall be charged at a rate of seventy dollars (\$70.00), per hour, per sub-code. Fees shall be rounded to the nearest one-half hour. A minimum fee of thirty-five dollars (\$35.00) shall be charged.

(8) **The fee for Variations shall be charged per the building class of the structure as follows:**

(a) Class 1 shall be three hundred fifty dollars (\$350.00) (b) Class 2 shall be one hundred fifty dollars (\$150.00).

(b) Class 3 shall be one hundred dollars (\$100.00)

(c) Re-submission of a variation shall be charged fifty percent (50%) of the original fee.

(9) **The fees for Certificates of Occupancy shall be as follows:**

(a) Certificate of Occupancy. The fee shall be in the amount of ten percent {10%} of the new construction permit fee. The minimum shall be one hundred twenty dollars, (\$120.00), except for one (1) and two (2) family dwellings (R-5) wherein the minimum fee shall be sixty dollars (\$60.00). This shall apply whether the Certificate of Occupancy is temporary or permanent in nature.

(b) Temporary Certificate of Occupancy: The fee for Temporary Certificate of Occupancy or extensions shall not exceed \$30. There shall be no fee charged for the first issuance of a Temporary Certificate of Occupancy, provided the Certificate of Occupancy fee is paid at that time.

(c) The fee for a Certificate of Continued Occupancy shall be one hundred fifty dollars (\$150.00) and shall be required for all changes in occupancy of non-residential Use Groups.

(d) A Certificate of Continued Occupancy issued for a finished basement in a residential Use Group, in which work was completed prior to the issuance of a construction permit, shall be charged a flat fee of four hundred dollars (\$400.00).

(e) (e) The fee for a Certificate of Occupancy granted to a change of use shall be one hundred fifty dollars (\$150.00)

(f) Occupancy Placards: No fee for the first issuance. Fees for a replacement shall be charged the same as those for a Temporary Certificate of Occupancy as stated in 9(b) above.

(g) The fee for a Certificate of Compliance for hazardous equipment maintained or installed in accordance with the New Jersey Uniform Construction Code, delineating the approval period, shall be one hundred dollars (\$100.00).

(10) **Fees for Limited Certificates of Approval shall be as follows:**

(a) Limitations. Equipment herein below listed, having been determined to create a significant potential for hazard to public health and safety, shall be granted a certificate of approval by the appropriate subcode official or other approved agency for the duration specified herein:

- i. Elevators shall be six (6) months: twenty-six dollars (\$26.00).
- ii. Platform lifts shall be six (6) months: twenty-five dollars (\$25.00).
- iii. Dumbwaiters shall be twelve (12) months: twenty-five dollars (\$25.00).
- iv. High-pressure boilers shall be twelve (12) months: as provided by the state.
- v. Refrigeration systems shall be twelve (12) months: as provided by the state.
- vi. Pressure vessels shall be twelve (12) months: as provided by the state.
- vii. Cross connections/Backflow preventers (equipped with test ports only) shall be twelve (12) months: fifty dollars (\$50.00) for the first four (4) devices and fifty dollars (\$50.00) for each additional four (4) devices or portion thereof.

(b) Such equipment shall be periodically re-inspected or tested in accordance with the provisions of the regulations prior to the expiration of such Certificate of Approval and any violations corrected before a new certificate may be issued.

(c) No such system or assembly shall continue in operation unless a valid Certificate of Approval has been reissued. It shall be a violation of the regulations for an owner to fail to provide for such periodic inspection testing.

(d) The enforcing agency may revoke a Certificate of Occupancy whenever a condition of a Certificate has been violated.

(e) The provisions and regulations do not preclude periodic certification pursuant to other applicable laws or ordinances.

C. The fee for the reinstatement of Lapsed Permits, for which no changes are made or required by mandated code changes, shall be fifty percent (50%) of the original permit fee prior to lapse.

D. No refund will be given after ninety (90) days of issuance of permit. Prior to ninety (90) days of issuance, the plan review fee shall be held and remaining fees may be refunded at the discretion of the Construction Official.

E. The fees for the State of New Jersey are determined by the State and are as follows:

(1) In order to provide for the training, certification and technical support programs required by the Uniform Construction Code Act, the enforcing agency, including the Department when acting as the local agency, shall collect a surcharge fee of \$0.00371 per cubic foot of volume of new construction. The fee for all other construction shall be \$1.90 per one thousand dollars {\$1,000.00) of the value of construction. The minimum permit surcharge fee shall be \$1.00. Said surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarters ending March 31, June 30, September 30 and December 31 and not later than one {1) month next succeeding the end of the quarter for which it is due.

(2) The enforcing agency shall report annually at the end of each state fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, said report shall be for the third and fourth {state fiscal year} quarters.

F. Annual permits. The fee to be charged for an annual construction permit shall be charged annually. This fee shall be a flat fee based on the number of maintenance workers who are employed by the facility and who are primarily engaged in work that is governed by a subcode. Managers, engineers and clericals shall not be considered maintenance workers for the purpose of establishing the annual construction permit fee. Annual permits may be issued for building, fire protection, electrical and plumbing. Fees shall be as follows: One (1) to twenty-five (25) workers (including foreman) shall be six hundred eighteen dollars {\$618.00) per worker; each additional worker over twenty-five (25) shall be two hundred fifteen dollars (\$215.00) per worker.

(1) Prior to the issuance of the annual permit, a training registration fee of one hundred thirty dollars (\$130.00) per subcode shall be submitted by the applicant to the Department of Community Affairs, Construction Code Element, Training Section, along with a copy of the construction permit (Form F-170A). Checks shall be made payable to "Treasurer, State of New Jersey."

G. Hourly charges and fees for development-wide inspection of homes after issuance of a Certificate of Occupancy shall be in such amount as may be reasonable and necessary in order to ascertain whether a violation exists or to verify that any work performed has abated the violation.

(1) The hourly charge shall be the same as the hourly rate set forth in section D above, times the number of hours spent by the code officials in determining whether a violation exists or verifying that any work performed has abated the violations.

H. All penalty monies shall be collected under penalty provision of the UCC. Any penalties collected shall be retained by the Building Department and shall be placed in a special trust fund to be applied to the cost of the department for training, education, technical support programs, certification, new equipment and transportation. An independent fund shall be set up and retained by the Director of Finance to be the Trustee of this account.

I. The Construction Official shall, with the advice of the Subcode Officials, prepare and submit to the Township Committee, biannually, a report recommending a fee schedule based on the operating expenses of the agency and any other expenses of the municipality fairly attributable to the enforcement of The State Uniform Construction Code Act.

**Section 2:** If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

**Section 3:** The Ordinance shall take effect upon its adoption, passage and publication according to law.

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**ORDINANCES (INTRODUCTION, FIRST READING)**

Mayor Mangin read by title Ordinance #18-11.

ORDINANCE REAPPROPRIATING \$60,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF A SPORT UTILITY VEHICLE FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Mangin asked for a motion to introduce Ordinance #18-11 on first consideration.  
Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for April 3, 2018.

---

Mayor Mangin read by title Ordinance #18-12.

AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF THE FORMER PENNSYLVANIA AVENUE IN THE TOWNSHIP OF RARITAN WHICH ABUTS LOT 100, BLOCK 27, LOTS 100 AND 42, BLOCK 27.02 AND LOT 21, BLOCK 36.02

Mayor Mangin asked for a motion to introduce Ordinance #18-12 on first consideration.  
Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

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

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for April 3, 2018.

---

**CORRESPONDENCE**

- a. Thank you to Raritan Township OEM Personnel
- b. Raritan Headwaters Annual Stream Cleanup Reminder
- c. Walnut Brook Volunteer Tree Planting (sponsored by Raritan Township and Raritan Headwaters)

- d. Thank you from Raritan Valley Community College Foundation
- e. Department of Public Safety Division of Public Health – Mosquito Control Information

During Correspondence, Mayor Mangin expressed gratitude; acknowledged the professionalism, dedication and outstanding efforts of OEM, Police, Fire, Rescue, and Public Works personnel during the past storms.

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## **NON-CONSENT AGENDA**

### **Township Committee Regular Meeting Minutes**

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of June 20 and July 18, 2017.

Motion by Reiner, seconded by Gilbert.

#### **ROLL CALL VOTE:**

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

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of March 6, 2018.

Motion by Gilbert, seconded by Reiner

#### **ROLL CALL VOTE:**

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

---

### **Township Committee Special Meeting Minutes**

Mayor Mangin asked for a motion to approve the Special Meeting Minutes of June 29, 2017.

Motion by Gilbert, seconded by Reiner

#### **ROLL CALL VOTE:**

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

---

**Township Committee Executive Meeting Minutes**

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of June 20 (2) and July 18, 2017 (2).

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of March 6, 2018 (2).

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

---

Mayor Mangin read Resolution #18-72 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-72.

Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

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

**RESOLUTION #18-72**

**A RESOLUTION APPOINTING JEFFREY KLEIN  
AS CONSTRUCTION OFFICIAL**

**WHEREAS**, a vacancy exists in the Construction Code Office for the position of permanent Construction Official; and

**WHEREAS**, the Mayor and Township Committee of the Township of Raritan desires to fill this position; and

**WHEREAS**, the position was advertised, interviews conducted and the Administrator recommends that Jeffrey F. Klein be appointed as permanent Construction Official.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Jeffrey F. Klein is hereby appointed to the position of Construction Official, effective March 20, 2018 for a term of four (4) years in accordance with N.J.S.A. 52:27D-126 at an annual salary of \$58,000.00, Part-Time at an average of 20 hours per week, and in accordance with the CWA Higher-Level Supervisor Bargaining Agreement.

---

Mayor Mangin advised that proposed Resolution #18-73 Authorizing the Use of Competitive Contracting for the Procurement of Employee Benefits Consultant was not required and therefore has been tabled.

---

Mayor Mangin read Resolution #18-74 by title.  
Mayor Mangin asked for a motion to adopt Resolution #18-74.  
Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**RESOLUTION #18-74**

**A RESOLUTION AUTHORIZING EMERGENCY  
TEMPORARY APPROPRIATION #4**

**WHEREAS**, a Temporary Budget was adopted for 2018 by the Township Committee on January 4, 2018 by Resolution #18-12; and

**WHEREAS**, as per New Jersey Local Budget Law 40A:4-20 Emergency Temporary Appropriations, states that the Governing Body may by resolution adopted by 2/3rds vote of the full membership thereof make emergency temporary appropriations for any purposes for which appropriations may lawfully be made.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that emergency temporary budget appropriations are made as follows; said emergency temporary appropriations will be provided for in the 2018 budget; and that a copy of this resolution be transmitted to the Chief Financial Officer and the Director of the Division of Local Government Services:

Township Administrator S&W	\$ 20,000.00
Township Admininstrator OE	\$ 15,000.00
Postage & Photocopying	\$ 10,000.00
Township Clerk S&W	\$ 10,000.00
Township Clerk OE	\$ 7,000.00
Financial Administration S&W	\$ 20,000.00
Financial Administration OE	\$ 3,000.00
Data Processing Services	\$ 32,500.00
Auditing Services	\$ 23,000.00
Tax Collector S&W	\$ 11,000.00
Tax Collector OE	\$ 2,000.00
Tax Assessor S&W	\$ 18,500.00
Tax Assessor OE	\$ 5,000.00
Legal Services OE	\$ 15,000.00
Group Health Insurance	\$163,551.50
Engineering Services S&W	\$ 10,000.00

Engineering Services OE	\$ 7,500.00
Planning Board S&W	\$ 3,000.00
Planning Board OE	\$ 6,000.00
Zoning Board S&W	\$ 4,000.00
Zoning Board OE	\$ 4,000.00
Construction Official S&W	\$ 46,000.00
Construction Official OE	\$ 12,500.00
Police S&W	\$387,442.00
Emergency Management S&W	\$ 2,000.00
Emergency Management OE	\$ 4,000.00
Fire Hydrants	\$ 60,000.00
Fire Official S&W	\$ 26,000.00
Fire Official OE	\$ 5,000.00
Prosecutor S&W	\$ 4,000.00
Road Repair & Maintenance S&W	\$140,000.00
Road Repair & Maintenance OE	\$ 12,500.00
Snow Removal S&W	\$ 40,000.00
Snow Removal OE	\$ 25,500.00
P.E.O.S.H.A. Roads OE	\$ 2,000.00
Public Property (B&G) S&W	\$ 15,000.00
Public Property (B&G) OE	\$ 15,000.00
Vehicle Maintenance S&W	\$ 30,000.00
Vehicle Maintenance OE	\$ 20,000.00
Board of Health S&W	\$ 8,000.00
Park Maintenance S&W	\$ 32,500.00
Park Maintenance OE	\$ 10,000.00
Utilities	\$ 25,500.00
Solid Waste	\$ 12,000.00
Municipal Court S&W	\$ 22,000.00
Municipal Court OE	\$ 4,000.00
Public Defender	(\$ 2,000.00)
Defined Contribution Plan	\$ 2,000.00

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Mayor Mangin read Resolution #18-75 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-75.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #18-75**

**APPROVING COST SHARE FOR THE MICHISK FARM (BLOCK 12, LOT 8)**

**WHEREAS**, there are certain properties within the Township of Raritan for which the owners have filed applications to place their properties within the farmland preservation program; and

**WHEREAS**, the Hunterdon County Agriculture Development Board informed the Township that the Hunterdon County Agriculture Development Board has received a farmland preservation application from Robert Michisk (owner) for the preservation of Block 12, Lot 8

located at approximately 95 Rake Road within the Township of Raritan, (also known as the Michisk Farm), which property is contained in Raritan Township's Municipal Planning Incentive Grant List of Farms; and

**WHEREAS**, the State Agricultural Development Committee (SADC) certified fair market value of the development easement pursuant to N.J.A.C. 2:76-7.14 at \$7,900.00 per acre on February 27, 2018; and

**WHEREAS**, the landowner accepted the SADC's Certified Market Value offer of \$7,900.00 per acre. The estimated cost sharing breakdown for the acquisition of the development easement is as follows (based on an estimated 48 acres), subject to:

- (a) The actual acreage to be covered by the development easement per the final survey which conforms to the farmland preservation program requirements.
- (b) Any additional adjustments pursuant to State statute, rule, regulation or policy:

State Agricultural Development Committee (\$4,850.00/acre; 60% of total estimated cost)	\$232,800.00
Hunterdon County (\$1,525.00/acre; 20% of total estimated cost)	\$73,200.00
Franklin Township (\$1,525.00/acre; 20% of total estimated cost within Township)	\$66,337.00
<b>Raritan Township</b> <b>(\$1,525.00/acre; 20% of total estimated cost within Township)</b>	<b>\$6,863.00</b>

TOTAL: \$379,200.00

**WHEREAS**, the application states that Block 12, Lot 8 consists of approximately 4.5 gross acres subject to the final surveyed acreage, which are proposed to be preserved; and

**WHEREAS**, the Township Committee of the Township of Raritan desires to adopt this Resolution to approve of said preservation and to agree to cost share with the State Agricultural Development Committee and the Hunterdon County Development Board for the purchase of a farmland preservation easement on approximately 4.5 +/- ac portion of Block 12, Lot 8.

**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 Township of Raritan approves of the application for a farmland preservation easement on approximately 4.5 +/- ac portion of Block 12, Lot 8 as proposed by the owner within the Township of Raritan, and further agrees to cost share with the County of Hunterdon and the New Jersey SADC for the purchase of the same, subject to the Owner entering into a contract with the County of Hunterdon for the sale of the development easement, and both the County's and the SADC's approval of the cost share for the same, at the purchase price determined by the Certified Market Value.
2. A copy of this Resolution shall be forwarded to the County Agriculture Development Board for its information and records.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect immediately.

Mayor Mangin read Resolution #18-76 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-76.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**RESOLUTION #18-76**

**AUTHORIZING THE CANCELLATION OF FIRST AND SECOND QUARTER, 2018 TAXES (LINQUE AND BALDACCHINO)**

**WHEREAS**, there exists on the books of Raritan Township First and Second Quarter, 2018 taxes for the properties listed below; and

**WHEREAS**, the Township Tax Collector, Sharon Brown, has recommended the cancellation of the First and Second Quarter, 2018 taxes for the properties listed below due to the deletion of parcels and subdivision of new parcels.

**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 Tax Collector is hereby authorized and directed to cancel the First and Second Quarter, 2018 taxes for the following parcels:

<u>Taxpayer</u>	<u>Qtr.</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Qualifier</u>
Linque Flemington II & III, LLC (658 Pennsylvania Ave.)	1 <sup>st</sup> – 2018	\$2,864.05	36	17	
	2 <sup>nd</sup> – 2018	\$2,864.05	36	17	
<b>TOTAL:</b>		<b>\$5,728.10</b>			
Linque Flemington II & III, LLC (218 Pennsylvania Ave.)	1 <sup>st</sup> – 2018	\$153.13	36	17	Q0268
	2 <sup>nd</sup> – 2018	\$153.12	36	17	Q0268

<b>TOTAL:</b>		<b>\$306.25</b>		
Baldacchino, Pasquale & Angelo (412 Case Blvd.)	1 <sup>st</sup> – 2018	\$765.63	36.04	76.02
	2 <sup>nd</sup> – 2018	\$765.62	36.04	76.02
<b>TOTAL:</b>		<b>\$1,531.25</b>		
Baldacchino, Pasquale & Angelo (408 Case Blvd.)	1 <sup>st</sup> – 2018	\$704.38	36.04	76.03
	2 <sup>nd</sup> – 2018	\$704.37	36.04	76.03
<b>TOTAL:</b>		<b>\$1,408.75</b>		

Mayor Mangin read Resolution #18-77 by title.  
Mayor Mangin asked for a motion to adopt Resolution #18-77.  
Motion by Hazard, seconded by Gilbert

**ROLL CALL VOTE:**

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

**RESOLUTION #18-77**

**AUTHORIZING THE REFUND OF  
FIRST QUARTER, 2018 TAXES (LINQUE)**

**WHEREAS**, there exists on the books of Raritan Township First Quarter, 2018 taxes for the properties listed below; and

**WHEREAS**, the Township Tax Collector, Sharon Brown, has recommended the refund of First Quarter, 2018 taxes for the properties listed below as the parcels were deleted and subdivided into multiple new parcels.

**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 Tax Collector is hereby authorized and directed to refund the First Quarter, 2018 taxes for the following parcels:

<u>Taxpayer</u>	<u>Qtr.</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Qualifier</u>
Linque Flemington II & III, LLC (658 Pennsylvania Ave.)	1 <sup>st</sup> – 2018	\$2,864.05	36	17	
Linque Flemington II & III, LLC (218 Pennsylvania Ave.)	1 <sup>st</sup> – 2018	\$153.13	36	17	Q0268

Mayor Mangin read Resolution #18-78 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-78.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #18-78**

**AUTHORIZING THE 2018 APPOINTMENT OF MEMBERS TO  
THE COMMUNITY EMERGENCY RESPONSE TEAM (CERT)**

**WHEREAS**, the Township of Raritan is required to have an Emergency Operations Plan to provide for actions to be taken to mitigate, prepare for, respond to and recover from the effects of an emergency; and

**WHEREAS**, the members of the Community Emergency Response Team (CERT) must be appointed by resolution of the governing body.

**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 individuals are hereby appointed as members of the Raritan Township CERT for a one-year term, effective March 20, 2018:

Ed Jakubowski  
John B. Smith III  
Rudy Ress  
Jim Hager  
Randy Block  
Jane Block  
Lenny Hutchins  
Craig Proctor  
Paul Hutchins  
Robert Collumb  
Jim Swain  
Aimee Swain

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Mayor Mangin read Resolution #18-79 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-79.

Motion by Hazard, seconded by Gilbert

**ROLL CALL VOTE:**

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

**RESOLUTION #18-79**

**AUTHORIZING THE 2018 APPOINTMENT OF MEMBERS TO  
 THE EMERGENCY MANAGEMENT PLANNING COUNCIL**

**WHEREAS**, the Township of Raritan is required to have an Emergency Operations Plan to provide for actions to be taken to mitigate, prepare for, respond to and recover from the effects of an emergency; and

**WHEREAS**, the members of the Emergency Management Planning Council must be appointed by resolution of the governing body.

**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 individuals are hereby appointed as members of the Emergency Management Planning Council for a one-year term, effective March 20, 2018:

Chris Phelan	OEM Coordinator or his designee
Frank Venezia	Deputy OEM Coordinator
Ed Jakubowski	CERT Coordinator
Glenn Tabasko	Chief of Police or his designee
Doug Day	Fire Chief or his designee
Justin Dorflinger	EMS Rescue Chief or his designee
Chris Hunt	Hunterdon Medical Center or his designee
Brion Fleming	Public Works Superintendent or his designee
Dennis Concannon	Fire Marshal or his designee
Don Hutchins	Township Administrator
Mary Melfi	Flemington Borough Emergency Management Coordinator

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**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.

There were no items on the Consent Agenda.

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**PRIVILEGE OF THE FLOOR**

There was no public comment.

Committee Member O'Brien inquired as to the status of the situation with the Coffee House. Mr. Hutchins advised he would follow up and advise accordingly.

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**ADJOURNMENT**

Mayor Mangin asked for a motion to adjourn the meeting.

Motion by Reiner, seconded by Gilbert

**MOTION UNANIMOUSLY CARRIED**

Meeting adjourned at 8:35 p.m.

Respectfully submitted,

---

Lisa Fania, RMC  
Township Clerk

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #18-85**

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

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, that Elizabethtown has complied with the transfer/assignment requirements in the Ordinance for the transfer and assignment of Elizabethtown’s rights and obligations thereunder to ETG Acquisition Corp. and that the Township of Raritan hereby permits and consents to the transfer and assignment to ETG Acquisition Corp. of all of Elizabethtown’s rights and obligations under the Ordinance. This consent will only be effective upon completion of the acquisition of substantially all of Elizabethtown’s assets by ETG Acquisition Corp. and compliance with the performance bond replacement and liability insurance requirements contained in the Ordinance. If that acquisition does not occur, this consent shall not be deemed to give consent to Elizabethtown’s transfer or assignment of any of its rights and obligations under this ordinance to any other entity.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

\_\_\_\_\_  
Michael Mangin  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on April 17, 2018.

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

# MDS

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P.O. Box 67  
Newton, NJ 07860

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OF COUNSEL

Christopher D. Quinn  
Karen D. Russell (Ret. J.S.C.)

\*Also member of NY Bar  
\*Also member of OH Bar

PARTNERS

David L. Johnson\*  
James P. Fox  
M. Richard Valenti  
Paul G. Hunczak  
Angela C. Paternostro-Pfister  
Douglas C. Gray\*  
Brian C. Lundquist\*

ASSOCIATES

Michelle M. Beatty

March 9, 2018

Via FedEx and e-mail  
Lisa Fania, Clerk  
RARITAN TOWNSHIP  
One Municipal Drive  
Flemington, NJ 08822

Re: Elizabethtown Gas – Consent to Transfer

Dear Ms. Fania:

This firm represents Elizabethtown Gas (“Elizabethtown”). Elizabethtown currently provides natural gas services to customers in Raritan Township (“Raritan”) pursuant to a Municipal Consent Ordinance granted by the Municipality on April 28, 1997 to NUI Corporation d/b/a Elizabethtown Gas Company. A copy of the Municipal Consent Ordinance (the “Ordinance”) is attached to this letter.

The purpose of this letter is to notify the Mayor and Township Committee of Raritan that there is an agreement in place for the assignment and transfer of substantially all of Elizabethtown’s assets, including its municipal consents and local distribution facilities and related structures in your municipality to ETG Acquisition Corp., a subsidiary of South Jersey Industries (SJI). Following the closing on the asset transfer, ETG Acquisition Corp. would replace Elizabethtown as the natural gas provider in your municipality and would succeed to Elizabethtown’s rights and obligations under the Ordinance.

Pursuant to the terms of your Ordinance, please consider this letter as notice of Elizabethtown’s intent to transfer and assign its rights and obligations under the Ordinance to ETG Acquisition Corp. and of Elizabethtown’s request for consent to the transfer of those rights and obligations to ETG Acquisition Corp.

The completion of the asset transfer is subject to various approvals, including approval by the New Jersey Board of Public Utilities (the “BPU”). A copy of that BPU filing is

# MDS

March 9, 2018

Page 2 of 3

available at ETG's website, [www.elizabethtowngas.com](http://www.elizabethtowngas.com). Please also consider this letter as notice of the aforesaid BPU proceeding.

The Ordinance states that Raritan's consent to transfer and assign will not be unreasonably withheld.

In support of this Consent request, attached hereto are:

1. Written Acknowledgment and Agreement by ETG Acquisition Corp. to be bound by all terms and conditions of the Ordinance, to provide the replacement performance bond, and to satisfy the liability insurance requirements.

2. Document entitled "Data and Information Submitted in Support of the Municipality's Consent to Transfer". This document has Data and Information relating to ETG Acquisition Corp. and its parent, SJI. As noted in that document, SJI, through its operating utility, South Jersey Gas, has been engaged in the provision of safe and reliable utility service in New Jersey for over 100 years and delivers safe, reliable and affordable natural gas to approximately 381,000 customers in all or portions of the seven (7) southernmost counties in New Jersey. If the asset transfer is completed, the same assets that Elizabethtown uses to serve the residents and businesses within your municipality will continue to be used for the provision of natural gas related services and, under the terms of the sale, Elizabethtown's employees will be retained. While the proposed acquisition will be structured to change the ultimate ownership of Elizabethtown's assets, the manner in which services are provided to its customers and how it operates within your municipality is not intended to change. Elizabethtown customers will continue to receive service in the same manner and pursuant to the same NJBPU approved rates, and terms and conditions upon which they now receive service; and

3. Draft of a proposed Resolution under which Raritan consents to the transfer of Elizabethtown's rights and obligations under the Ordinance to ETG Acquisition Corp. We would be happy to review the attached Resolution with you, the Mayor, Committee and the Township Attorney if any of you have questions regarding the contents of this letter, the Acknowledgment, or the attached Resolution.

While we believe the information contained in the attached Data and Information Sheet and the BPU filing provide adequate assurances that ETG Acquisition Corp. can honor all of Elizabethtown's obligations under the Ordinance, we will be happy to provide additional information to the Mayor and Committee and will be happy to appear at the meeting where the Mayor and Committee consider the Consent requested in this letter.

We would appreciate your placing consideration of this letter, the attached Acknowledgment, and the attached Resolution at the April 17, 2018 meeting of the Mayor

# MDS

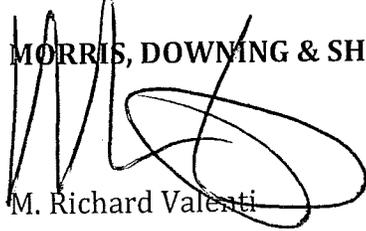
March 9, 2018  
Page 3 of 3

and Committee. Please confirm that the attached Resolution will be considered for adoption at that meeting on April 17, 2018.

Thank you for your courtesies and attention in this matter.

Very truly yours,

**MORRIS, DOWNING & SHERRED, LLP**

  
M. Richard Valenti

MRV:nlc

ACKNOWLEDGMENT AND AGREEMENT OF  
ETG ACQUISITION CORP.  
TO BE BOUND BY ALL TERMS AND CONDITIONS OF THE  
MUNICIPAL CONSENT ORDINANCE  
OF THE TOWNSHIP OF RARITAN  
UPON COMPLETION OF ASSIGNMENT/TRANSFER

ETG Acquisition Corp., a wholly owned subsidiary of South Jersey Industries (“SJI”), acknowledges and agrees that, if the closing on the assignment and transfer to ETG Acquisition Corp. of substantially all of the assets of Elizabethtown Gas (“Elizabethtown”) is completed, ETG Acquisition Corp. will be bound by and will honor all terms and conditions of the Municipal Consent Ordinance (the “Ordinance”) adopted by the Township of Raritan (“Raritan”) and attached hereto as Exhibit A. As a condition of the Consent issued by Raritan for the transfer and assignment of Elizabethtown’s rights and obligations under the Ordinance to ETG Acquisition Corp., ETG Acquisition Corp. will post a replacement performance bond and provide satisfactory proof of liability insurance in accordance with the requirements contained in said Ordinance.

*(signature on following page)*

ETG ACQUISITION CORP.

By: David Robbins, Jr.  
David Robbins, Jr., President

TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #97-6

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY GRANTING MUNICIPAL CONSENT TO NUI CORPORATION, DOING BUSINESS AS ELIZABETHTOWN GAS COMPANY, TO CONSTRUCT, MAINTAIN AND OPERATE MAINS, CONDUCTORS AND PIPES FOR THE DISTRIBUTION OF GAS WITHIN THE TOWNSHIP OF RARITAN, HUNTERDON COUNTY

WHEREAS, NUI Corporation (hereinafter "Elizabethtown"), doing business as Elizabethtown Gas Company, a Corporation of the State of New Jersey and a public utility subject to the jurisdiction of the New Jersey Board of Public Utilities, on June 3, 1996 filed a Petition with the Township of Raritan seeking Municipal Consent to construct, operate and maintain natural and mixed gas distribution lines for public and private consumption throughout the Township of Raritan; and

WHEREAS, the Township of Raritan, through its various departments, conducted a review of the Township's experience and relationship with the Petitioner during the prior Municipal Consent period, which review determined that the Petitioner has been cooperative, responsible, and responsive to requests of the Township in the utilization of the Municipal Consent previously granted; and

WHEREAS, the Petitioner provided public Notice of its Petition by publication for two successive weeks in the Hunterdon County Democrat (February 6, and February 13, 1997), and by posting notice of its Petition on February 6, 1997 in five public places within the Township of Raritan, and pursuant to Statutory requirement; and

WHEREAS, representatives of the Petitioner appeared before the Mayor and Township Committee of the Township of Raritan in public session on Monday, February 24, 1997 and responded to questions of the Township Committee and general public regarding its Petition for a renewed Municipal Consent.

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Raritan as follows:

**Section I.**                    **Grant of Municipal Consent.**

Pursuant to N.J.S.A. 48:3-11, the Township Committee of the Township of Raritan hereby grants to N.U.I. Corporation, doing business as Elizabethtown Gas Company, a Corporation of the State of New Jersey (hereinafter "Elizabethtown") with principal offices located at One Elizabethtown Plaza, Union, New Jersey, its successors and assigns, a non-exclusive consent, right and privilege for the use, without impairment of, or obstruction to, the public use, of the roads, streets, avenues and ways of the Township of Raritan to construct,

lay, maintain, and operate for a period of thirty-five (35) years, the necessary mains, conductors, pipes and concomitant appurtenances for the purpose of conveying, storing, supplying and distributing natural and mixed gas for heat, power, light and other purposes for public and private use and consumption, and along, in, or under.

**Section II.**                    **Consent - Service Area.**

The Municipal Consent granted to N.U.I. Corporation herein shall be limited to the "service area", which "service area" shall be defined as the whole of the Township, lying within the Municipal boundaries of the Township of Raritan, throughout the County of Hunterdon, State of New Jersey.

**Section III.**                    **Conditions on Grant of Municipal Consent.**

The Municipal Consent granted herein is expressly conditioned upon the following:

- (a) the written acceptance of Elizabethtown of the terms and conditions of this Municipal Consent Ordinance within thirty (30) days of its final adoption.
- (b) the New Jersey Board of Public Utilities' approval of the Consent herein granted, and the issuance of such other grants or approvals as determined by the N.J.B.P.U.;
- (c) Elizabethtown shall satisfy all Statutory requirements of N.J.S.A. 48:13-1 et seq. regarding the proper organization and operation of a Public Utility engaged in the distribution of natural and mixed gas, and shall remain subject to the jurisdiction of and comply with all Rules and Regulations of the United States Department of Transportation, Office of Pipeline Safety and the New Jersey Board of Public Utilities, as well as the Ordinances of the Township of Raritan.
- (d) Elizabethtown shall construct and continuously maintain and operate the distribution line within the service area in a safe and efficient manner, and maintain such gas distribution lines in a state of good operation and repair; and including all streets, roads, and public rights-of-way within the Township of Raritan wherein its lines are located.
- (e) the granting of Municipal Consent within the service area and the construction operation and maintenance of the gas distribution system within the rights-of-way of the Township shall in no way place any obligation, financial or otherwise, or any liability of any kind, upon the Township of Raritan, and no obligation is to attach for the construction, operation and maintenance of the said gas distribution system to the Township.
- (f) any and all regulating pits or venting structures or like facilities shall not be located along the public rights-of-way comprising the service area without prior written consent of the municipal engineer.

Section IV.

**Construction; Installation; Restoration.**

- A. **Construction.** In each and every case in which road openings or excavation of any nature are required or made for the purposes aforesaid, Elizabethtown shall restore, all such public and private lands or facilities to as good a condition as existed at the commencement of the said work or such better condition, at its sole cost and expense. All such openings and installation and maintenance shall be undertaken in strict compliance with the standards imposed by the Board of Public Utilities, any other regulatory agency, and all applicable Township Ordinances, including all present and future street opening Ordinances and construction code regulations, with such work to be done in a careful, prudent and workmanlike manner, and within such time limitations as shall be best for the proper safeguard of the public.

All venting, seepage, or gas relief pits, valves or other structures shall not be located in any area where it is anticipated that citizens may congregate or in any area where such location may potentially be detrimental to the public health, safety and welfare. The location of such structures shall be subject to the proper consultation, review and approval by the Municipality.

- B. **Relocation.** If at any time during the period of this Municipal Consent, the Township of Raritan finds it necessary to alter or change the grade of any street, road or other public right-of-way or area, Elizabethtown shall, upon reasonable notice by the Municipality, remove and relocate its distribution lines and pipes at the expense of Elizabethtown.
- C. **Restoration.** In the event that Elizabethtown shall refuse or neglect, after ten (10) days notice in writing by the representative of the Township, that is, the Township Clerk or Township Engineer, to restore any disturbed area at its cost and expense, and in compliance with all applicable Municipal Ordinances in effect at that time, to its pre-existing or better condition, any street, road, pavement, driveway or other surfaces after having made an opening or excavation, the necessary work to accomplish such restoration may be done by the Township of Raritan, and thereafter, Elizabethtown shall be liable for the actual and necessary costs thereof, and shall immediately pay such costs to the Township upon receiving notice thereof.
- D. **Precondition to Undertaking Construction.** Elizabethtown shall give to the Township of Raritan, through its duly designated representative, written notice of its intention to open or excavate any street or other public place in accordance with the Township of Raritan's Ordinance regulating the excavation and opening of streets, roads and highways, with the exception that such notice requirement shall be waived in the event of an emergent circumstance such that such emergency will affect public health or safety. As soon as practically possible after the occurrence of such emergent circumstance, Elizabethtown shall give prompt written notice to the Township of any emergency opening or

excavation that Elizabethtown shall undertake.

**Section V. Gross Receipts Tax/Use Fee.**

In accordance with current New Jersey Statutes and Board of Public Utility Regulations, the Township of Raritan receives a gross receipts tax in consideration for the Municipal Consent granted hereunder. In the event that future legislation is adopted subsequent to the granting of this Municipal Consent, which either explicitly, or as a consequence thereof, deregulates the gas industry such that the said gross receipts tax is no longer payable to the Municipality under such prior Act, then and in that event, in consideration of the rights, grants, and privileges provided by the Township of Raritan to utilize its lands under the terms of this Municipal Consent Ordinance, Elizabethtown agrees to pay to the Township of Raritan, a rental/use fee on an annual basis and pursuant to any Township Ordinance which may lawfully thereafter be enacted and which would require payment of such fee.

**Section VI. Indemnification; Performance Bond; Liability.**

- A. **Indemnification.** Elizabethtown, its successors and assigns, by the acceptance of the grants, rights and privileges conferred by this Ordinance, shall at all times and does hereby and will indemnify and hold harmless, the Township of Raritan and all of its subsidiary agencies, officials and employees from any and all claims of whatsoever kind or nature arising from or relating to the construction, installation, maintenance, laying, repairing, inspecting, or altering of mains, conductors, pipes and appurtenances thereto, and any other facilities, and including, but not by way of limitation, any damages, penalties, costs, attorney's fees and charges for personal injury, property damage or otherwise, based upon Elizabethtown's negligence or the negligence of its agents, servants, employees or independent contractors.
- B. **Performance Bond.** Prior to the commencement of any construction or installation under this Municipal Consent, Elizabethtown shall execute and deliver to the Clerk of the Township, and subject to prior review and approval by the Township Attorney, a Bond in the amount of \$25,000.00 guaranteeing the faithful performance of all of its obligations and undertakings under the Ordinance, which Bond shall be enlarged or renewed, from time to time as the Raritan Township Committee may require.
- C. **Liability Insurance.** Elizabethtown agrees to maintain and keep in full force and effect, at its sole expense, and at all times during the term and duration of this Municipal Consent, sufficient liability insurance naming the Township of Raritan as an additional insured party, and insuring and indemnifying the Township against any loss by any such claim, suit, judgment, execution or as follows:
- (a) Elizabethtown shall carry Workman's Compensation Insurance with

Statutory limits.

- (b) Elizabethtown shall at all times, maintain a Comprehensive General Liability Insurance Policy with a single limit amount of \$1,000,000.00 covering liability for any death, personal injury, property damage or other liability arising out of its construction and operation of the gas distribution systems herein and in addition, an excess liability (or "umbrella") policy in the amount of \$3,000,000.00.
- (c) Elizabethtown shall furnish to the Township of Raritan, a certified copy or Certificate of Insurance of each of the Policies as set forth herein.

**Section VII.                      Duration of Consent.**

- A. **Term.** The Municipal Consent granted to Elizabethtown herein is for a period of thirty-five (35) years from the effective date of this Ordinance.
- B. **Public Hearing.** Immediately prior to the thirty-five (35) year expiration of Consent, the Township of Raritan shall conduct public hearings regarding the performance of Elizabethtown with the terms of this Municipal Consent. The public hearing shall be duly advertised and shall provide any opportunity for all interested persons to participate.
- C. **Extension.** Upon the conclusion of the public hearings as set forth herein, the Township of Raritan shall consider such extension and such additional conditions as the record of the public hearings may warrant.
- D. **Transferability.** The right of Elizabethtown to transfer or assign any and all of its rights and obligations under this Municipal Consent Ordinance shall only be permitted upon Elizabethtown providing to the Township, thirty (30) days advance written notice of such intent to transfer, and specifying the name of the assignee and other pertinent data as may be required by the Township. No transfer or assignment shall be made without the prior written consent of the Raritan Township Committee, which consent shall not be unreasonably withheld. Any notice or request for assignment must contain the written acknowledgment of the proposed assignee to be bound by all of the terms and conditions of this Municipal Consent Ordinance and shall require the posting of a replacement Performance Bond and satisfaction of the liability insurance requirements prior to any written consent to transfer by the Raritan Township Committee.
- E. **Notice of Proceedings.** Elizabethtown shall give the Municipality timely written notice of at least fifteen (15) days in advance of all proceedings initiated by Elizabethtown or the B.P.U. or other Regulatory Agency,

when such proceedings may affect the commitments, Municipal Consent or relationship between Elizabethtown and the Municipality, whether or not such notice is required by law. All submissions provided to such Regulatory Agency by Elizabethtown shall also be provided to the Township of Raritan.

**Section VIII. Severability.**

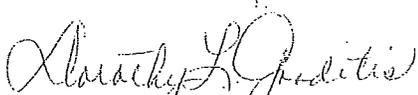
If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

**Section IX. Effective Date.**

This Municipal Consent Ordinance shall become effective upon adoption and publication according to law, and only upon written acceptance of this Municipal Consent by Elizabethtown, which written consent shall be filed with the Clerk of the Municipality within thirty (30) days of the date after which Elizabethtown receives notice of the passage of this Ordinance.

ATTEST:

TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN



Dorothy L. Gooditis, RMC/CMC/CPM  
Township Clerk



Roland D. Boehm  
Mayor

**NOTICE OF PENDING ORDINANCE**

Please take notice that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan at a meeting held on March 10, 1997, and the same was then ordered to be published according to law with a public hearing and final consideration scheduled for the meeting of April 28, 1997 beginning at 7:30 p.m. at the Police/Court Facility, Four Sergeantsville Road, Raritan Township (Flemington), N.J. at which time all interested persons will be heard.

ORDINANCE # 97-6

INTRODUCED 3/10/97

FINALLY ADOPTED 4/28/97

TABLED \_\_\_\_\_

Dorothy L. Gooditis, RMC/CMC  
Township Clerk

DATA AND INFORMATION SUBMITTED IN SUPPORT OF THE  
MUNICIPALITY'S CONSENT TO TRANSFER

In support of Elizabethtown's and ETG Acquisition Corp's. request for the Township of Raritan to consent to the transfer to ETG Acquisition Corp. of all Elizabethtown's rights and obligations under the Municipal Consent Ordinance (the "Ordinance"), ETG Acquisition Corp. provides the following data and information relating to ETG Acquisition Corp., South Jersey Industries ("SJI"), the terms of the asset acquisition by ETG Acquisition Corp., and their impact on customers and the municipalities to which it will provide service:

1. SJI, through its subsidiary, South Jersey Gas, delivers safe, reliable and affordable natural gas to approximately 381,000 customers in all or portions of the seven (7) southernmost counties in New Jersey. Like Elizabethtown, South Jersey Gas is a public utility regulated by the New Jersey Board of Public Utilities ("NJBPU"). South Jersey Gas or its predecessors have been operating in New Jersey since 1910. South Jersey Gas employs approximately 526 employees.
2. Elizabethtown is engaged in the distribution and sale of natural gas to approximately 288,000 customers in seven counties in New Jersey.
3. Pivotal Utility Holdings, Inc. and SJI have requested approval from the NJBPU (Docket No. GM17121309), among others, for the sale of substantially all of Elizabethtown's assets to ETG Acquisition Corp. Upon all necessary approvals and completion of the asset transfer, a New Jersey Corporation known as SJI Utilities will be formed, and this company will own both South Jersey Gas and ETG Acquisition Corp. SJI will be the parent of SJI Utilities.
4. Hence, upon the completion of the asset transfer, SJI Utilities will provide natural gas to approximately 670,000 customers in New Jersey.

5. Following the asset transfer, the name of ETG Acquisition Corp. will be changed to Elizabethtown Gas Company.

6. As part of the proposed asset transfer, ETG Acquisition Corp. will be bound by all terms and conditions of the Ordinance, will honor all obligations of Elizabethtown under the Ordinance, and will provide a replacement performance bond and all insurance required under the Ordinance.

7. There will be no adverse impact on the rates of Elizabethtown's customers. After the asset transfer, ETG Acquisition Corp. will be regulated by the NJBPU and continue to operate under the rates, terms, and conditions of service contained in its Elizabethtown's NJBPU approved tariff in effect at the time of the closing.

8. The proposed asset transfer will have no adverse impact on the provision of safe and adequate utility service at just and reasonable rates. All Elizabethtown assets needed to continue safe and adequate utility services will be transferred to ETG Acquisition Corp. at the closing. The intent is to continue Elizabethtown's record of safe, adequate service at just and reasonable rates. SJI has a successful record of providing safe and reliable service as demonstrated by the numerous honors conferred upon SJI, including: Public Utilities Fortnightly's "Top 40 Companies"; Safety Achievement Award by the American Gas Association; Community Champion Award by the United Way of Greater Philadelphia and Southern New Jersey; and the Urban Investment Award by the Southern New Jersey Development Council.

9. Elizabethtown's Field Service Centers, Call Center, Walk-In Payment Centers, and Union New Jersey headquarters will be maintained for a period of at least three (3) years post closing.

10. The intent is to have Elizabethtown's day-to-day operations remain unchanged, and the focus is on making the transition seamless for customers and municipalities, such that:

- (i) The municipalities in which Elizabethtown serves customers and in which Elizabethtown facilities are located, will have all of the terms and conditions of their Municipal Consent Ordinances honored;
- (ii) Like Elizabethtown, ETG Acquisition Corp. will continue to be regulated by the NJBPU; and
- (iii) Elizabethtown's customers will continue to receive service in the same manner and pursuant to the same Tariff in place today.

11. Additional information about the sale of Elizabethtown's assets to ETG Acquisition Corp. is set forth in the petition filed with the NJBPU, a copy of which is available on Elizabethtown's website: <https://www.elizabethtowngas.com/rates-and-tariff>.

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #18-86**

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

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

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

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

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Township Committee's April 3, 2018 voice vote regarding the appointment of John Tully is hereby ratified and confirmed as follows:

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

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

\_\_\_\_\_  
Michael Mangin  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on April 17, 2018.

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Lisa Fania, RMC  
Township Clerk

16c.

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #18-87**

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

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

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

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

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

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

\_\_\_\_\_  
Michael Mangin  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby  
certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted  
by the Township Committee of the Township of Raritan at a meeting held on April 17, 2018.

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

# David Moutner

Flemington, NJ 08822

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## IT Professional with exceptional organizational, analytical, program and project management skills.

- In depth knowledge of project methodologies, application development, business analysis, process re-engineering, continuous improvement and service delivery models.
- Extensive experience partnering with business leaders, building collaborative relationships to create IT-business strategies and establish clear and achievable objectives. Highly customer focused and knowledgeable across most IT domains and business areas.
- Skilled at organizing and managing programs in complex environments; Navigating organizational processes and seeking consensual decisions based on diverse stakeholder input and risk tolerance.
- Self starter adept at quickly assessing complex problems, envisioning short and long term solutions and planning end-to-end project lifecycles from idea generation through ongoing Service Management.
- Effectively communicates technological capabilities and limitations to all organizational levels while instilling a sense of urgency within IT based on business priorities and drivers.

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### Core Competencies & Certifications

Formerly PMP Certified (PMI)  
Six Sigma Certified  
ITIL Foundations Certified  
Process and Data Modeling  
Business Analysis

Innovation & Thought Leadership  
Effective Team Builder/Leader  
Experienced Facilitator  
Effective Communicator  
Relationship Management

Global Program Management  
Outsourcing Management  
Applied Technologist  
Web Technologies  
SharePoint Technologies

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### Professional Experience

**Project Manager, Alpha Consulting** on assignment at Bristol-Myers Squibb, Hopewell, NJ 2016 -2018  
Lead Project Manager for a \$22M redesign and implementation of a global end to end regulatory submission planning and tracking system built on the Veeva Vault Regulatory Information Management platform.

- Managed a 3 phased implementation of a Regulatory Information Management solution reducing from 22 discreet to 12 integrated RIM processes.
- Managed a team of 17 business leads, process owners, technical leads, consultants and 3<sup>rd</sup> party vendors in a dynamic and changing business environment.
- Successfully delivered phases 1 and 2 on time with 81% user adoption within the first 2 weeks of deployment.

**Program Manager, HighPoint Solutions** on assignment at **Otsuka**, Princeton, NJ 2015-2016  
Program Manager for the Global Clinical & Safety Data Warehouse overseeing a \$1.7M budget and 3 project managers.

- Prioritized the data warehouse project portfolio with key Business and IT stakeholders, maximizing business value within budgetary and resource constraints.
- Mentored the Data Warehouse support team in establishing KPIs to measure system and process performance. Initiated low effort improvements resulting in a 30% decrease in cycle time to load Clinical data.
- Standardized and streamlined the PMO reporting process for R&D IT project managers.

**Contractor, Program Manager, IT PMO** on assignment at **Celgene**, Berkeley Heights, NJ 2013 - 2015  
Initiated and managed projects for Tech Operations and clinical supplies areas.

- Managed the \$5.3M Business Intelligence Roadmap Program to rationalize, establish governance and create a BI Center of Excellence for Celgene. As part of the initial Foundational Phase, upgraded the Business Objects and Qlikview environments, consolidated local instances of Spotfire into a Corporate Enterprise solution and expanded the OBIA warehouse, replacing a separate European Data Warehouse.
- Managed the Implementation of Oracle Business Intelligence Enterprise Edition and a suite of analytical reports providing enhanced reporting capabilities to the Finance, HR and Supply Chain groups along with supporting business processes and platform governance.

**Contractor, Senior Project Manager, IT PMO** on assignment at **Merck**, Branchburg, NJ 2012 - 2013  
Coordinated and oversaw corporate IT service engagements for infrastructure and application development projects. Planned project schedules, managed budgets and resource utilization using Microsoft Project Server.

- Managed the development, implementation and delivery of a custom application to analyze, select and track product portfolio deletions using data visualization and BI tools coupled with SharePoint workflow components.

## DAVID MOUTNER, PMP

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- Managed the technology portion of the program to build out regional security command centers in the UK, Singapore and the US, including the upgrade of a digital surveillance system for six US sites.

**Contractor, Program Manager** on assignment at **United Healthcare**, Basking Ridge, NJ 2011 - 2012  
Managed a \$2.5MM Application Document Repository (ADR) program to improve SOX compliance, reduce manual audit efforts and upgrade the SharePoint infrastructure.

- Structured the program to meet short term compliance needs while developing the business case and project plan for a longer term solution.
- Prepared the CBA (Cost/Benefit Analysis) to secure funding and resource commitments. Created resource allocations in Planview, tracked actuals against forecasted resource plan.
- Adapted the Waterfall methodology to a more Agile like approach, enabling a multi-threaded development process to deliver the short term enhancement in an aggressive timeframe while satisfying all project methodology requirements.

**Glacier Interactive Solutions**, Morristown, NJ 2004 – 2011

Program Manager, Web Services, on assignment at **Honeywell**, Morristown, NJ  
Organized and managed complex projects, matured IT systems and directed teams consisting of technical project managers, business sponsors, outsourcing partners and global vendors. Partnered with business and functional groups to analyze needs, identify business opportunities, develop IT strategies and roadmaps. Wrote and negotiated SOWs, created project budgets, negotiated for project resources and led teams through entire SDLC implementations and support efforts.

- Partnered with Corporate Communications and agency vendors to redesign and implement a new Intranet utilizing Microsoft SharePoint to improve navigation and search, expand self service and enable Web 2.0 functionality.
- Assumed responsibility for a faltering enterprise web content management system for the Internet and Intranet. Conducted voice of the customer meetings leading to customer focused system enhancements and improved operational support. Within 6 months, unplanned outages were reduced by 90%, user support calls by 66%, and user adoption increased by 35%.
- Initiated and led various corporate-wide web based implementations through vendor evaluations, budget creation, resource and infrastructure planning. Among these was the implementation of web analytics software. The program consisted of selecting and implementing an enterprise analytics solution and training site owners on how to analyze data to drive desired behaviors.
- Managed infrastructure projects including server upgrades, environment build-outs and server decommissions.
- Adapted the Infrastructure PMO methodology for use by the Web Services group. Mentored and trained project managers and technical staff enabling group certification to SEI/CMM level 3.

**GLAXOSMITHKLINE**, Parsippany, NJ 1999-2004

Associate Director, IT Business Partner, Consumer Health R&D  
Developed the Business Partner role to build credibility and improve IT services. Identified opportunities, implemented tactical solutions, developed strategic IT plans, secured funds and initiated projects. Established partnerships between IT and business units in the US and UK. Coached IT project managers in a GAMP based methodology and implemented project tracking metrics. Advocated on behalf of business units for IT project and general support services.

- Account Management
  - Standardized the IT project intake process to objectively prioritize a \$3.1M project portfolio based on alignment to key business drivers and IT strategic directions. Managed the IT portfolio for the Clinical and Regulatory groups.
  - Created a master project schedule and resource allocation model to highlight over and underutilized resources, eliminating resource bottlenecks and increasing project throughput by 15%.
  - Developed an IT product and services catalog, negotiated SLAs, implemented tracking metrics and a continuous improvement process for IT.
  - Performed impact analyses on corporate mandates and successfully negotiate waivers as needed.
  - Mentored project managers in best practices, electronic records (21CFR Part 11) requirements, validation requirements and project tracking metrics.
- Special Projects
  - Partnered with the head of Clinical Operations to map the Clinical Trials processes leading to the implementation of a web-based electronic data capture (EDC) system and collaborative work tools for Phase III clinical trials. Managed the vendor selection process and vendor development and testing programs. The first pilot achieved a \$60,000 savings and reduced cycle time by 25% over paper-based studies.
  - Led the Block Drug Desktop Integration Project, converting ~750 desk/laptops to GSK standards. Rationalized Block Drug applications, decommissioning most and migrating users to GSK applications. The accelerated program was completed without interrupting daily work routines.
  - Identified KPIs and built dashboards to quantify IT project and support services.
  - Interim Head of IT Client Services managing local infrastructure, IT operations, Help Desk and break/fix services.

**DAVID MOUTNER, PMP**

**NOVARTIS PHARMACEUTICALS CORPORATION, East Hanover, NJ**

1998-1999

Sr. Systems Consultant

Corporate IT liaison to regional US sales offices. Managed the IT support needs of the nine regional sales offices.

- Created a customized support program to handle remote sales office support needs. Established policies, procedures and mechanisms for reducing problem resolution times significantly and problem escalations by ~ 65%.
- Introduced a variety of customer focused support enhancements including a 24 hour laptop repair service and remote desktop support.
- Successfully managed the Windows NT upgrade for the regional offices as part of the Corporate-wide initiative.
- Created and delivered computer training programs to senior sales management.

**INTERNATIONAL FLAVORS AND FRAGRANCE, Hazlet, NJ**

1995-1998

IS Team Leader, Manufacturing

IS liaison to the Fragrance Division. Identified productivity and process improvements, led systems development projects, re-engineered business processes and introduced client-server based systems.

- Partnered with the Head of Production Planning to create a multi-faceted order tracking and planning system. MS-Access was used to process daily mainframe extracts providing improved visibility into current and future orders.
- Identified and implemented a novel solution for managing consignment inventory for major customers within the framework of existing systems, thereby retaining those major accounts.

**SCHERING-PLOUGH, Union, NJ**

1993-1995

Independent Consultant to the Executive Director, MIS

Worked with staff and management to identify business re-engineering opportunities and to introduce PC based systems and new technologies. Developed client-server/GUI based applications and transferred PC skills to in-house staff.

- Led an international team in developing requirements and selecting a global MRP system for the Labs Division. Managed the \$4.5M implementation for plants in Ireland and Puerto Rico.
- Created a quantitative Sample Allocation System for Sales and Marketing to objectively allocate pharmaceutical samples among field sales reps eliminating complaints common with previous methods.

**JOHNSON & JOHNSON, ORTHO PHARMACEUTICAL, Raritan, NJ**

1988-1993

Information Services Project Manager

Provided business analysis, system design, and development and implementation services to the Manufacturing, Engineering, and Quality & Technical Affairs divisions.

- Aligned goals and objectives between IT and manufacturing business units, opening the way for IS participation in Computer Integrated Manufacturing and TQM initiatives.
- Identified opportunities for innovative PC and client-server applications throughout manufacturing and engineering. Developed project proposals, obtained funding and led the development and implementation of shop floor scheduling, high speed weighing and multimedia training systems.
- Conducted vendor analysis and selection and implemented the Integrated Telemarketing and Customer Response System for the Sales and Medical Information groups. The system handled new, direct-to-consumer marketing programs and increased customer response capability from 25,000 to 2 million calls annually.
- Formed and led the Platform Recommendation Team that designed, secured approval and implemented a strategic open systems architecture for Manufacturing and Quality and Technical Affairs.
- Ortho representative to the J&J IS Strategic Planning Committee and the Pharm Sector New Technology Task Force.

**EDUCATION & PROFESSIONAL DEVELOPMENT**

Cornell University, Ithaca, NY

- Master of Science, Agricultural Engineering, College of Agriculture
- Bachelor of Science, Bioengineering, Minor in Biology, College of Engineering

Professional Training:

- ITIL Foundation
- Duke University World Class Manufacturing
- Managing Diversity Workshop
- GSK Leadership Program
- Influence Management
- Facilitators Workshop
- Honeywell Green Belt Certification
- Honeywell Designing for Six Sigma Certification
- SEI/CMM for Software Development
- Championing Change

Publications

- Presentation at the 2007 PMI NJ Symposium. "Creating and Sustaining Project Management within your Organization"
- "The HOW of Project Management", Feb. 10, 2010, Projecttimes website, <http://www.projecttimes.com/articles/the-how-of-project-management.html>

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #18-88**

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

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

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

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

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

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

\_\_\_\_\_  
Michael Mangin  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on April 17, 2018.

\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk