

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
MONDAY, APRIL 20, 2020**

MEETING CALLED: Mayor Kuhl called the regular meeting to order at 5:30 p.m.

ROLL CALL: The following were present via remote access: Mayor, Jeff Kuhl; Deputy Mayor, Karen Gilbert; Comm. Gary Hazard; Comm. Scott MacDade; Comm. Louis Reiner

ABSENT: None

ALSO PRESENT: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Township Attorney, Jeff Lehrer (via remote access); Raritan Township Office of Emergency Management Coordinator, Christopher Phelan; Chief Financial Officer, Bill Pandos

MEETING NOTICED: Mayor Kuhl advised that the meeting was noticed in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975 April 9, 2020 to the Courier News, Hunterdon County Democrat, Star Ledger, Express Times, NJ.com and posted on the municipal bulletin board and the Township website.

Attorney, Jeff Lehrer, read Resolution #20-109 in full.

Mayor Kuhl asked for a motion to approve Closed Session Resolution.

Motion by MacDade, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, MacDade, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #20-109

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:
- d) Pending/Anticipated Litigation: TapInto v. Township of Raritan
update; NJDEP C1 Rule Making
- e) Potential Land Acquisition: Hampton Corner Road Project

3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The Committee will return to Regular Session and may take further action.
5. This Resolution shall take effect immediately.

CLOSED SESSION MINUTES WILL BE DONE IN A SEPARATE DOCUMENT

The regular meeting reconvened at 6:10 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Mayor Kuhl 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 Kuhl asked for a motion to approve the Agenda.

Mayor Kuhl advised of an additional item to the Agenda, a proclamation in celebration of the 100th birthday of World War II Veteran, Gene Valentino.

Motion by Hazard, seconded by Gilbert to approve the agenda as amended.

ROLL CALL VOTE:

- AYES:** Gilbert, Hazard, MacDade, Reiner, Mayor Kuhl
 - NOES:** None
 - ABSTAIN:** None
 - ABSENT:** None
-

PROCLAMATION – Expression of Gratitude to those Serving Selflessly to Ensure the Health, Well-being and Safety of all Citizens Against COVID-19.

Mayor Kuhl read the proclamation into the record.

PROCLAMATION

EXPRESSION OF GRATITUDE TO ALL SERVING SELFLESSLY TO ENSURE THE HEALTH, WELL-BEING AND SAFETY OF ALL CITIZENS AGAINST COVID-19

WHEREAS, in December of 2019 a novel coronavirus outbreak began in Wuhan, China and since then has touched almost every corner of the world and has shuttered villages, towns, cities, and healthcare facilities; and

WHEREAS, hundreds of thousands of people around the world have become sickened and many have died due to this outbreak; and

WHEREAS, the novel coronavirus is also known as COVID-19, “CO” stands for coronavirus, “VI” is for virus, and “D” for disease; and

WHEREAS, the first case of COVID-19 struck the United States in February 2020 and since then has transmitted throughout the Country, leaving thousands on the frontlines to combat this virus by working long hours as they assist those in need in our communities; and

WHEREAS, around the Country millions of healthcare professionals, first responders, warehouse operators, truck drivers, postal workers, delivery workers, construction workers, grocery store clerks, gas attendants and public servants are fighting this pandemic and helping to ensure the health, well-being, and safety of the citizens of the Township of Raritan, the County of Hunterdon, the State of New Jersey, and the United States of America; and

WHEREAS, these individuals are heroes because of their enduring and selfless dedication to their fellow citizens as they continue to work in dangerous conditions, particularly healthcare workers experiencing a short supply of protective gear; and

WHEREAS, the Country is at war with this pandemic and the great people that Americans rely on in this time are unmatched in any and all regards.

NOW, THEREFORE, BE IT PROCLAIMED, that the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey wish to extend sincere gratitude to all of these heroes who continue to sacrifice for the sake of the residents of the Township of Raritan and the Country.

BE IT FURTHER PROCLAIMED that the Mayor and the Township Committee call upon all residents of Raritan Township, the County of Hunterdon, the State of New Jersey, and across the United States of America to recognize and extend appreciation to all individuals risking personal health and the health of their loved ones. We are forever grateful!

PROCLAMATION – In Celebration of the One-hundredth Birthday of World War II Veteran, Gene Valentino.

Mayor Kuhl read the proclamation into the record.

PROCLAMATION

**IN CELEBRATION OF THE 100TH BIRTHDAY OF WORLD WAR II VETERAN,
GENE VALENTINO**

WHEREAS, the Mayor and Township Committee wish to recognize and honor veterans for their exemplary service and residents who attain milestones in their lifetime; and

WHEREAS, Gene Valentino, a World War II veteran, resides in Raritan Township and is celebrating his 100th birthday on April 24, 2020, and

WHEREAS, Gene Valentino began his service to this country during World War II where he was part of the D-Day invasion, transporting soldiers from England to Normandy Beach; and

WHEREAS, Gene Valentino continued his selfless and heroic service to the United States of America during the Korean and Viet Nam wars honored with many medals; and

WHEREAS, the United States of America is forever indebted to Gene Valentino for his valor in the face of the ultimate sacrifice to liberate the world and ensure that all men and women may be free, in their generation and those to come; and

WHEREAS, Gene Valentino's love of the sea was so strong that he spent the remainder of his working years as a Captain with the Merchant Marines.

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Jeff Kuhl, and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey on this 24th day of April, two-thousand and twenty, do hereby extend heartfelt happy birthday wishes to Gene Valentino in celebration of his 100th birthday and recognize and honor his service, heroism, sacrifice and courage in the face of grave danger to the people of these United States of America. Happy Birthday Gene!

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.

George Dilts, Esq., attorney with the firm Dilts and Koester, extended sincere gratitude and appreciation to the Township Committee and staff for the effort in keeping the Township running during this difficult time. Mr. Dilts commented, "I think your Township is way ahead of the curve, and you, your professionals and your staff should be commended for these efforts...I wanted to let all of you know that I and most of my professional friends appreciate it very much." Mr. Dilts also shared the Township's sentiments which were expressed in a proclamation read earlier in the meeting agenda, thanking all those fighting tirelessly against COVID-19 for the health, safety and well-being of all.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: **\$1,485,937.76**

Mayor Kuhl asked for a motion to approve the bill list for Raritan Township.

Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, MacDade, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

REPORTS

Office of Emergency Management Update – Christopher Phelan, Raritan Township Office of Emergency Management (OEM) Coordinator, provided an update on the status of efforts of the Raritan Township Office of Emergency Management (OEM) regarding the coronavirus (COVID-19) public health emergency. Mr. Phelan advised of the following:

*interactive dashboard of information specific to "our" current state of COVID-19 cases by the Hunterdon County Department of Health and Hunterdon County Office of Emergency Management in response to resident requests;

*continued communication and coordination with first responders and Flemington Borough OEM and continued participation in ongoing conference calls with the County OEM;

*ongoing assistance with Hunterdon Medical Center's (HMC) respiratory assessment tent by the Township's OEM and Community Emergency Response (CERT) teams, as well as those CERT and OEM teams from the Townships of Holland and Readington;

*ongoing dissemination of information via the Nixle Alert System, OEM and Township Facebook pages, OEM twitter page and the Township website;

*recent launch of the Hunterdon/Somerset joint testing facility at Raritan Valley Community College; two additional testing dates, April 22 and April 24;

*continued posting of information by HMC; hotline (908-788-6440) maintained by HMC nursing staff from 8:00 a.m. to 8:00 p.m.

Mr. Phelan commended and extended gratitude to all those involved with emergency services including the Raritan Township Police Department; Raritan Township Fire Company; Flemington-Raritan First Aid and Rescue Squad (FRFARS); and Readington and Holland Township OEM and CERT teams.

Mr. Phelan advised that HMC and the Flemington-Raritan First Aid and Rescue Squad strongly emphasize that residents should not hesitate to utilize 9-1-1 for medical emergencies.

Mr. Phelan spoke about the four principals of Emergency Management – mitigation, preparedness, response and recovery. He commented, “we are also looking several months out in terms of recovery efforts and we are starting to see the impact in terms of needs in our community...” Mr. Phelan advised of the following:

*Flemington-area food pantry is in need of donations. They are accepting gift cards and curb-side drop off of food;

*Hunterdon Helpline – provides daily checks on senior residents and the homebound and other referral services;

*Hunterdon United Way continues to coordinate with the County regarding needs for the hospital, County and first responders.

Mayor Kuhl commented that in response to concerns raised by residents, the Township is considering re-opening a park or two for passive recreation while maintaining social distancing which will be monitored by the Police Department and OEM.

During reports, Municipal Clerk, Lisa Fania, announced that the deadline for liquor license renewals has been extended to September 30 and that the June 2 Primary Election has been moved to July 7.

Christopher Phelan, President of the Hunterdon County Chamber of Commerce (HCCC), provided an overview regarding recovery efforts relevant to the Township's business community that included the following resources:

*HCCC website, hunterdonchamber.org – COVID-19 button providing daily updates from many websites; posting of webinars and podcasts with experts such as attorneys and non-profits;

*Facebook pages providing information on restaurants by town, County non-profits "in-need," health and wellness (for chiropractors and fitness centers) business and links to job postings;

*Small Business Development Center, Raritan Valley Community College providing free consultative calls for businesses.

Mr. Phelan also reported that the HCCC submitted a letter of advocacy along with approximately sixty (60) of the state's largest business organizations to the Governor, Senate President and Assembly Speaker requesting allocation of the next round of CARES funding.

The following March reports were acknowledged by the Committee:

*Animal Control

*Court

*Planning/Engineering Escrow Accounts

*Tax Collector

LIAISON REPORTS

Karen Gilbert:
(Deputy Mayor)

Fire/Rescue/OEM; Open Space Advisory Committee; Planning Board
(Class III Member)

Deputy Mayor Gilbert referred to Mr. Phelan's report regarding Fire/Rescue/OEM. Deputy Mayor Gilbert extended gratitude to Mr. Phelan for all of his efforts commenting, "you work tirelessly to keep us safe and try to keep our businesses open. You are the perfect person for wearing both hats and you are doing an amazing job." Deputy Mayor Gilbert reported that Harry Quinn, Chair of the Open Space Advisory Committee, advised that there are a couple of properties being considered and there may be a potential land donation. Deputy Mayor Gilbert continued that Mr. Quinn asked that the Township Committee consider Green Acres funds regarding open space as the non-profit organizations with which the Township typically partners with are "hurting for money" at this time. Lastly, Deputy Mayor Gilbert announced the passing of Amy Greene's husband, John Belle who was a "tireless" volunteer for the Township. Deputy Mayor Gilbert continued that Mr. Belle created a

plan for the Hilltop Preserve including trails, gazeboes, etc. Deputy Mayor Gilbert commented, "I'm hoping the County will act and this can be his legacy." Deputy Mayor Gilbert extended best wishes, thoughts and prayers to Mr. Belle's family.

Jeff Kuhl: Finance; Historians; Personnel; Planning Board (Class I Member)
(Mayor) Mayor Kuhl reported that meetings of the Historians and Planning Board were cancelled and that staff continues to work a modified schedule but that discussion is underway to return to a regular schedule.

Scott MacDade: Board of Health; Environmental Commission; Historians
Committee Member MacDade reported that the Board of Health and Historians meetings were cancelled and that the Green Team continues to work on recertification for Sustainable Jersey.

Louis Reiner: Agriculture Advisory Board; Finance
Committee Member Reiner provided no report.

Gary Hazard: Court; Open Space Advisory Committee; RTMUA
Committee Member Hazard extended gratitude to Mr. Phelan; reported that the Courts remain closed; that the RTMUA is discussing an appeal strategy regarding the NJDEP C-1 decision; and announced that the RTMUA will meet next week.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

ORDINANCES (INTRODUCTION/FIRST READING)

There were no ordinances for introduction.

ORDINANCES (PUBLIC HEARING/FINAL ADOPTION)

There were no ordinances for adoption.

CORRESPONDENCE

There was no correspondence.

NON-CONSENT

Township Committee Special Meeting Minutes

Mayor Kuhl asked for a motion to approve the Special Meeting Minutes of March 30, 2020.
Motion by Hazard, seconded by MacDade

ROLL CALL VOTE:

AYES: Gilbert, Hazard, MacDade, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of April 7, 2020.
Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, MacDade, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

Township Committee Executive Session Meeting Minutes

There was no closed session held on April 7, 2020.

Mayor Kuhl read Resolution #20-110 by title.

Mayor Kuhl asked for a motion to adopt Resolution #20-110.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, MacDade, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #20-110

A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP ENGINEER TO SUBMIT AN APPLICATION TO THE NEW JERSEY INFRASTRUCTURE BANK (NJIB) TO PARTICIPATE AND HAVE FUNDS ALLOCATED THROUGH THE NEW JERSEY TRANSPORTATION BANK BASE PROGRAM (NJTBBP)

WHEREAS, there is a need for reconstruction and resurfacing of various Township public thoroughfares; and

WHEREAS, the Township Engineer, Antoine Hajjar, recommends that the following public thoroughfares included in the Township's 5-year capital improvement plan be included in the application to the NJIB:

- Pleasant View Way, Summit Trail, Stonegate Court, Braintree Court
- Hart Blvd. (Partial Sheffield Station Road to Indian Plantation)
- Sunridge Drive
- Devonshire Court, Plymouth Court, South Hampton Court
- Overlook Court, Ivy Court, Liverpool Lane, Rittenhouse Circle, Aberdeen Circle
- Einstein Court, Cosby Court, Fenwick Court, Ewing Drive
- Monsey Road, Honeyman Drive, Lenape Road, Gearhart Lane, Grandin Drive, Bartle Lane, Furman Lane, Stewart Lane
- Londonderry Drive
- Angus Road, Krenkel Court

WHEREAS, the total request for funding to be allocated is \$6,170,000.00; and

WHEREAS, this resolution authorizes only the submission of an application for funds and FORMAL AUTHORIZATION TO ACCEPT AND AUTHORIZE ANY ALLOCATED FUNDS SHALL BE BY ORDINANCE OF THE TOWNSHIP COMMITTEE.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey formally approves the application for the above stated project.

Mayor Kuhl read Resolution #20-111 by title.
Mayor Kuhl asked for a motion to adopt Resolution #20-111.
Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, MacDade, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #20-111

**A RESOLUTION AUTHORIZING CHANGE ORDER #1
WITH TOP LINE CONSTRUCTION CORPORATION FOR ROAD
RECONSTRUCTION OF CONCORD RIDGE ROAD**

WHEREAS, a contract was awarded on March 17, 2020 for the road reconstruction of Concord Ridge Road; and

WHEREAS, the project was awarded to Top Line Construction Corporation, Somerville, New Jersey in the amount of \$254,468.65; and

WHEREAS, the Township Engineer recommends Change Order #1, which decreases the total contract amount by \$30,546.26, be approved by the Township Committee as outlined in the memorandum dated April 13, 2020.

NOW, THEREFORE, BE IT RESOLVED on this 20th day of April, 2020 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 \$30,546.26 be and is hereby approved with respect to the contract for road reconstruction of Concord Ridge Road.
- 2. That the amount of Change Order #1 be a twelve (12%) percent decrease to the total contract amount for a new contract amount with Top Line Construction Corporation of \$223,922.39.

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 Top Line Construction Corporation, Somerville, New Jersey.

Mayor Kuhl read Resolution #20-113 by title.
Mayor Kuhl asked for a motion to adopt Resolution #20-113.
Motion by Reiner, seconded by MacDade

ROLL CALL VOTE:

AYES: Gilbert, Hazard, MacDade, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #20-113

**A RESOLUTION AUTHORIZING TAX-EXEMPT STATUS
FOR 100 PERCENT DISABLED VETERAN;
PARTIAL REFUND OF FIRST QUARTER 2020 TAXES;
AND CANCELLATION OF SECOND QUARTER 2020 TAXES (DILL)**

WHEREAS, on March 19, 2020, Jeffrey Dill, who resides at 4 Sunrise Court, Block 63.09, Lot 10, presented and filed an official letter from the Department of Veterans Affairs with the Raritan Township Tax Assessor, Marianne Busher; and

WHEREAS, the official letter stated that his service-connected disability is evaluated at 100 percent with an effective date of January 21, 2020; and

WHEREAS, Mr. Dill is seeking property tax exemption and refund; and

WHEREAS, N.J.A.C. 18:28-2.11 specifically states "Provided all other legal criteria are met, the exemption must be granted as of the date of the letter from the Department of Veterans Affairs granting the rating and provided a written claim is filed with the Assessor. The governing body of a municipality, however, has the discretion to make the exemption retroactive to the date of 100 percent disability stated on the Veteran's Affairs letter provided other legal criteria are met;" and

WHEREAS, Mr. Dill has been granted a 100 percent disabled veteran exemption by the Township Tax Assessor, and

WHEREAS, the Township Tax Collector has recommended a partial refund of first quarter 2020 taxes in the amount of \$471.55; and

WHEREAS, the Township Tax Collector has recommended the cancellation of second quarter 2020 taxes in the amount of \$4,879.30.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that property tax-exempt status for 100 percent disabled veteran is hereby granted to Jeffrey Dill with an effective date of January 21, 2020; and

BE IT FURTHER RESOLVED, that a partial refund of first quarter 2020 property taxes in the amount of \$471.55 is hereby refunded; and

BE IT FURTHER RESOLVED, that second quarter 2020 taxes in the amount of \$4,879.30. are hereby cancelled.

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 Kuhl asked for a motion to approve the Consent Agenda.

Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, MacDade, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #20-112

A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE AN AMENDMENT TO AGREEMENT FOR THE PURCHASE AND SALE OF REAL PROPERTY WITH THE RARITAN TOWNSHIP FIRE COMPANY AND RARITAN VALLEY HABITAT FOR HUMANITY

WHEREAS, on March 24, 2020, the Raritan Township Fire Company, the Township of Raritan (the “Township”) and Raritan Valley Habitat for Humanity (“RVHFH”) entered into an Agreement for the Purchase and Sale of Real Property (the “Agreement”) whereby RVHFH would purchase from the Township property designated as Block 65, Lot 6 (the “Property”) on the tax map of the Township of Raritan; and

WHEREAS, due to circumstances surrounding COVID-19, the parties now desire to amend the Agreement to modify certain dates therein; and

WHEREAS, a First Amendment to the Agreement (the “First Amendment”) was prepared by counsel for RVHFH, which First Amendment was reviewed and approved by the Township Attorney; and

WHEREAS, the First Amendment amends the Due Diligence Period and further revises the time within which the Township shall perfect a subdivision of the Property, all as more fully set forth in the First Amendment, a copy of which is attached hereto.

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

1. The Mayor and Township Clerk are hereby authorized to execute the First Amendment.
2. The Township Clerk is hereby directed to forward two (2) copies of the executed First Amendment, together with a certified copy of this Resolution, to Katharine Coffey, Esq., Day Pitney LLP, One Jefferson Road, Parsippany, New Jersey 07054-2891.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Lou Reiner, Township Committee Member and resident of 445 Route 12, commented on the necessity and importance of getting businesses back up and running as soon as possible and the impact of such.

Barbara Sachau, a resident of 2 Glenway Drive, expressed dissatisfaction for the “company” being used for remote meeting access, advising that it is difficult to hear due to background noise; commented on the need to open parks, local government and the State of New Jersey; suggested the Township consider furlough for staff that is not working, as Toms River is saving \$383,000.00 doing such; and inquired as to why Recycling was closed.

During public comment, Mayor Kuhl explained that Recycling was closed for the safety of the employees as other closings that took place. He continued that the Township is taking steps to reopen the Township in phases. Mayor Kuhl commented, “I don’t disagree that America has to start moving and get back to work but everybody has to feel safe doing it.”

In response to Ms. Sachau’s complaint of experiencing difficulty in hearing the content of the meeting, Ms. Fania offered to provide an audio copy.

ADJOURNMENT

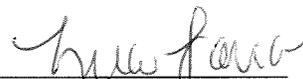
Mayor Kuhl asked for a motion to adjourn.

Motion by Reiner, seconded by MacDade

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 7:02 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk