

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, AUGUST 20, 2019**

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

ROLL CALL: The following were present: Mayor, Jeff Kuhl; Deputy Mayor, Louis Reiner; Comm. Karen Gilbert; Comm. Gary Hazard (via remote connection); Comm. Michael Mangin

ABSENT: None

ALSO PRESENT: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Police Chief, Al Payne; Township Attorney, Ed Purcell

MEETING NOTICED: Mayor Kuhl advised that the meeting was advertised in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975 in the January 8, 2019 issue of the Courier News and noticed to the Hunterdon County Democrat, Star Ledger, TapInto, Express Times and posted on the municipal bulletin board and the Township website.

Attorney, Ed Purcell, read Resolution #19-182 in full.

Mayor Kuhl asked for a motion to approve Closed Session Resolution as amended.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-182

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: CWA, Teamsters; Class III Special Law Enforcement Officers for Flemington-Raritan School District and Hunterdon Central Regional High School; Brownstein Acquisition; PBA
 - b. Personnel:
 - c. Attorney-Client Privilege:
 - d. Pending Litigation: Raritan Township v. Strawser
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.

The regular meeting reconvened at 7:05 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 amend or approve the Agenda.
Motion by Reiner, seconded by Gilbert to approve the Agenda.

ROLL CALL VOTE:

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

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:

Lilly Fatooh, a resident of 10 Round Hill Court, spoke of her recent experience at the Police Department's Junior Police Academy. Ms. Fatooh offered words of praise to Chief Payne, Captain Donaruma and Officer Roth for their leadership and expressed gratitude for the opportunity to work closely with the local police department. Ms. Fatooh encouraged the continuance of the program and suggested same be offered to adult citizens as well.

At this time, Mayor Kuhl acknowledged the presence of Boy Scout, Andrew Devine. Mayor Kuhl advised that Andrew is seeking the "Citizenship of the Community" merit badge and invited him to the dais. Andrew explained that one of the requirements of the badge is to observe a local government meeting.

EMPLOYEE RECOGNITION

The following employees were recognized by the Township Committee including highlights of their careers as follows:

Captain Benedict Donaruma, Jr., Police Department – Retirement
Lillian McDermott, Office Manager, Police Department – 20 years of service
Brion Fleming, Superintendent Public Works – 20 years of service

Committee Members expressed sincere gratitude and appreciation for the commitment and service provided by these employees to the Township and the community and extended well wishes in future endeavors to Captain Donaruma.

At this time, Committee Member Gilbert recognized Claudia Jursik of the Parks and Recreation Committee for 20 years of service as well.

Township Administrator, Donald Hutchins, commented that "not a lot of towns or public entities do this." Mr. Hutchins commended the Township Committee for recognizing employee milestones such as retirements and years of service. He continued, "it is important that we are creating an atmosphere where you retain employees where not too distant in the past turnover was the rule. I remember when I started here in 1985 it was a career job...the employees do a wonderful job and they deserve all of the respect and admiration and all the accolades we can give them for the time they put in here and serve. Thank you."

Mayor Kuhl also extended appreciation to the police officers in attendance as well.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: \$12,109,451.56

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

ROLL CALL VOTE:

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

Payment of Bills as listed for the Raritan Township Fire Company: \$21,936.41

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

ROLL CALL VOTE:

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

PRESENTATION – 2018 MUNICIPAL AUDIT

Robert Swisher, Suplee, Clooney & Co., appeared before the Committee and presented highlights of the 2018 Municipal Audit that included the following:

Two minor findings:

- *one on the general ledger
- *one on professional services contract

Mr. Swisher advised that the recommended corrective action plan will be acted upon later in the meeting agenda.

Mr. Swisher explained that Municipal Audit reports are due annually by June 30 but the numbers provided by the State of New Jersey were not ready until late July therefore an extension was granted. Mr. Swisher continued that the audit consists of a financial and compliance examination to determine if the Township's financial statements are fairly stated and if the Township is compliant with State rules and regulations.

Mr. Swisher advised that all of the six findings reported in last year's audit have been corrected.

He continued that, “the Township is in great financial shape. The surplus is heading in the right direction. You have been budgeting well. I complimented the administration on providing good plans going forward but I also complimented the Council on listening to those plans.” Mr. Swisher commented on the implications of decision-making based on politics as opposed to doing what is right and the benefits of a “healthy surplus” specific to bond rating.

Mr. Swisher advised Committee Members that the audit process had discovered that a couple hundred thousand dollars in expenditures had been spent for capital items several years back which was not bonded for. Mr. Swisher explained that he had suggested to Mr. Hutchins and Mr. Pandos during the exit conference that they consider raising some of the funds in next year’s budget.

Mr. Hutchins commented that the bond referred to was from 2014. Mr. Swisher advised that the raising of funds could be done over two or more years.

Committee Members raised questions regarding adequate surplus and possible improvements. Mr. Swisher responded that “there are a whole bunch of different philosophies regarding surplus and that rating agencies tend to want twenty percent (20%) of the operating expenses.” He continued to advise that the budget should be more than a one-year plan; it should be 1, 2, 3, 4 years out and surplus should be managed to stabilize taxes and deal with unforeseen events unbeknownst at the time of budgeting.

Committee Member Mangin commented, “I want to thank you. It is not just the Mayor; it is this team of people that run a good town. And we feel it is a very solvent town.”

Committee Member Hazard commented, “it is a well-run business thanks to Don, finance....it takes a team to make a healthy business.”

Mayor Kuhl added, “it is a group effort. Running the government like a business is absolutely an asset.”

Mr. Swisher concluded that “the Township is in really good financial shape, moving forward. A good town is run like a business. It starts at the top. You guys are the ones that make those final decisions.”

REPORTS

The following reports were acknowledged by Committee Members with no comment:

- *Animal Control - July
 - *Court - July
 - *Planning/Engineering Escrow Accounts – July
 - *Tax Collector - June
-

LIAISON REPORTS

- Karen Gilbert: Environmental Commission/Green Team; Historians; Open Space; Parks and Recreation; Planning Board (Class III Member)
Committee Member Gilbert announced the date for Community Day, September 28 (rain date September 29) highlighting activities including a car show and inflatables for kids. On behalf of the Local Historians Committee, Committee Member Gilbert reported that the schoolhouse renovations are in process, that the Historians Committee is seeking historic designation of the site for grant opportunities; and that the annual bus trip will be held in October to museums in Doylestown, Pennsylvania.
- Committee Member Gilbert advised that she will discuss the Dayton Road property at the next Open Space Committee meeting per Ms. Winnick's request at a previous Township Committee meeting.
- Committee Member Gilbert also reported on a meeting of the Planning Board advising that several approvals were granted including the Hindu Temple on Barley Sheaf Road (Sanatana Dharma), M&P Retirement minor subdivision on Featherbed Lane, Walmart online grocery order pickup addition; and generator installation at the Hunterdon Medical Center.
- Gary Hazard: Court/Police; RTMUA
Committee Member Hazard announced the next meeting date of the RTMUA, August 29 and thanked Captain Donaruma for his service.
- Jeff Kuhl: Planning Board (Class I Member); Personnel; Finance; Historians; Open Space
(Mayor)
Mayor Kuhl provided an update on the status of the historic schoolhouse advising that he is in communication with teachers and plans are to have students perform work this fall. Mayor Kuhl continued to advise that Lowes has expressed interest in assisting with beautification of the Township and that the company is going to donate supplies and labor for the schoolhouse renovation project. Mayor Kuhl reported that the meeting of the Open Space Committee was cancelled.
- Michael Mangin: Board of Health; Finance; Public Works
Committee Member Mangin reported that the meeting of the Board of Health was cancelled; that the Township is in good financial shape per the Audit; and that the Superintendent of Public Works provided an update on the status of road repair to residents in the vicinity of the Bridal Path development.

Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Wildlife Management
(Deputy Mayor) Advisory Committee

Deputy Mayor Reiner read into the record details of the Raritan Township Fire Company's annual stair climb, Sunday, September 8 and encouraged attendance.

During Liaison Reports, Superintendent of Public Works, Brion Fleming commented on the status of road projects. Mayor Kuhl inquired as to the status of Case Boulevard. Mr. Hutchins explained that the Township received a \$185,000 grant for Case Boulevard and that the project will go out to bid sometime in September upon completion of the plans. Mr. Hutchins also added that Sunny Hills is under construction.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

NJ Department of Agriculture – outreach for municipal interest in gypsy moth egg mass survey for Fall 2019 - It was the consensus to proceed in the ground egg mass survey.

RESOLUTION AMENDING THE 2019 CAPITAL BUDGET

Mayor Kuhl read Resolution #19-200 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-200.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

[RESOLUTION #19-200 IS ATTACHED HERETO AND
MADE A PART OF THESE MINUTES]

ORDINANCES (INTRODUCTION/FIRST READING)

Mayor Kuhl read by title Ordinance #19-23

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR AN “AREA IN NEED OF REDEVELOPMENT” KNOWN AS THE “U.S. BRONZE REDEVELOPMENT PLAN” CONSISTING OF BLOCK 40, LOT 4 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN IN ACCORDANCE WITH N.J.S.A. 40A:12A-7, AND SUPPLEMENTING AND AMENDING TITLE 16 ENTITLED “LAND DEVELOPMENT” BY THE AMENDMENT OF CHAPTER 16.22 ENTITLED “ZONING DISTRICTS ESTABLISHED;” AND ADDING NEW CHAPTER 16.28E ENTITLED “U.S. BRONZE REDEVELOPMENT DISTRICT (“UBR”)

Mayor Kuhl asked for a motion to introduce Ordinance #19-23 on first consideration.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for September 3, 2019.

Mayor Kuhl read by title Ordinance #19-24

AN ORDINANCE REAPPROPRIATING \$27,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF CHAIRS FOR THE COURTROOM AND PANIC ALARMS FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Kuhl asked for a motion to introduce Ordinance #19-24 on first consideration.

Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for September 3, 2019.

ORDINANCES (PUBLIC HEARING/FINAL ADOPTION)

Mayor Kuhl read by title Ordinance #19-19.

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE 16 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY ENTITLED "LAND DEVELOPMENT CODE" BY AMENDING PARAGRAPH SECTION 16.28A.020 ENTITLED "PRINCIPAL PERMITTED USES" OF CHAPTER 16.28A ENTITLED "I-1 RESTRICTED INDUSTRIAL ZONE" AND REPEALING AND REPLACING SECTION 16.28A.060 ENTITLED "PLANNED RESIDENTIAL REQUIREMENTS" WITH NEW SECTION 16.28A.060 ENTITLED "RESERVED" AND CREATING NEW CHAPTER 16.26I ENTITLED "PLANNED RESIDENTIAL DEVELOPMENT OVERLAY ZONE"

Mayor Kuhl asked for a motion to open public hearing.

Motion by Gilbert, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-19 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised June 24, 2019 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE NO. 19-19

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE 16 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY ENTITLED "LAND DEVELOPMENT CODE" BY AMENDING PARAGRAPH SECTION 16.28A.020 ENTITLED "PRINCIPAL PERMITTED USES" OF CHAPTER 16.28A ENTITLED "I-1 RESTRICTED INDUSTRIAL ZONE" AND REPEALING AND REPLACING SECTION 16.28A.060 ENTITLED "PLANNED RESIDENTIAL REQUIREMENTS" WITH NEW SECTION 16.28A.060 ENTITLED "RESERVED" AND CREATING NEW CHAPTER 16.26I ENTITLED "PLANNED RESIDENTIAL DEVELOPMENT OVERLAY ZONE"

WHEREAS, the Township of Raritan wishes to clarify the uses permitted in the I-1 zone by moving the Planned Residential Development overlay zone references to a separate Chapter of the Revised General Ordinances of the Township of Raritan; and

WHEREAS, such an amendment is administrative in nature and does not intend to change the underlying zoning, except that certain minor changes are being made to permit emergency generators as an accessory use.

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

Section 1. Section 16.28A.020 entitled “Principal Permitted Uses” of Chapter 16.28A entitled “I-1 Restricted Industrial Zone” of Title 16 entitled “Land Development Code” is amended as follows:

A.

Manufacturing, processing, producing or fabricating operations which meet the performance standards contained in Chapter 16.74, provided that all operations and activities, except parking, are carried on within enclosed buildings and that there is no outside storage or outside repairs of materials and equipment;

B.

Business and administrative offices and research facilities;

C.

Any form of agriculture or horticulture, including commercial greenhouses as part of a farm;

D.

Commercial indoor recreation facilities;

E.

Primarily wholesale uses with limited retail sales;

F.

Professional office including surgical center (a facility where outpatients come for simple surgical procedures including dialysis). Off-street parking shall be provided for such surgical center at the same rate as required for medical office use. An office building to be erected shall contain at least 16,000 square feet of gross floor area of which 50% or at least 8,000 square feet shall constitute the building foot print.

G.

Child care centers.

[H.

Planned residential developments (PRD).]

H.[I.]

Solar or photovoltaic energy facility.

Section 2. Section 16.28A.060 entitled "Planned Residential Requirements" of Chapter 16.28A entitled "Restricted Industrial Zone" of Title 16 entitled "Land Development Code" is repealed in its entirety and replaced with new Section 16.28A.060 entitled "Reserved."

Section 3. Chapter 16.26I entitled "Planned Residential Development Overlay Zone" is hereby added to Title 16 entitled "Land Development Code:" as follows:

§ 16.26I.010 Overlay Zone

The intent of this Chapter 16.26I (this "Chapter") is to allow in the portion of the I-1 Zone identified in Section 16.26I.020. below (the "Overlay Zone"), if served by public sewers and public water and under other reasonable requirements, a planned residential development with a variety of housing types within the overall density limits established with the goal of achieving 50 affordable units consistent with the Township's Revised Affordable Housing Compliance Plan. The standards established herein are based on the master plan recommendation that this area be developed with age-restricted senior housing, along with affordable housing in order to meet the needs of households of all ages and all income levels, as an inclusionary affordable housing development pursuant to and consistent with the Mt. Laurel Doctrine, the Fair Housing Act and the regulations of the Council on Affordable Housing ("COAH"), including (without limitation) Subchapter 10 of the COAH regulations (N.J.A.C. 5:97-10.1 to 10.5).

§ 16.26I.020 Zone Created.

The Overlay Zone shall consist of Block 36.05, Lots 1 through 143, Block 36.06, Lot 1 previously known as Block 36, Lot 17. Subject to compliance with applicable subdivision requirements nothing contained in this section shall preclude the subdivision of the Overlay Zone into two or more lots, including, without limitation, separate lots for the affordable housing section and the age-restricted housing section (as described below).

§ 16.26I.030 Minimum Acreage Required.

Ninety-five contiguous acres shall be the minimum required area for a planned residential development.

§ 16.26I.040 Uses Permitted.

The planned residential development shall include age-restricted single-family detached structures, age-restricted townhouse structures and non-age-restricted affordable housing multi-family structures. The housing types may also include duplexes, quads and one-story ranches to add variety to the housing mix.

§ 16.26I.050 Accessory Uses Permitted.

Accessory Uses Permitted. Private garages, public parking areas, clubhouses playgrounds and other recreational amenities, meeting and gathering places, and emergency generators subject to

requirements of Section 16.26I.130C, and rental and/or administrative offices shall be permitted accessory uses in the Overlay Zone. Other incidental uses to serve the residents of the development shall be permitted at the discretion of the Planning Board.

§ 16.26I.060 Timing of Development.

The Planning Board shall establish reasonable timing schedules on the sequence and number of housing types and associated utilities and amenities that may be constructed as part of the planned residential development. Construction of the development in phases shall be permitted upon the request of the developer.

§ 16.26I.070 Maximum Number Units in Overall Tract.

The maximum number of units to be constructed in the Overlay Zone shall not exceed 300 units.

§ 16.26I.080 Minimum Number of Affordable Units.

Twenty percent of the overall number of market rate units shall be affordable units, which shall meet the regulations and requirements of the New Jersey Council on Affordable Housing (COAH).

§ 16.26I.090 Required Conditions.

The following conditions shall apply to a PRD in the Overlay Zone:

A.

The minimum tract area for passive or active open space within the age-restricted section shall be 40% and the minimum open space within the affordable section shall be 30%. To the extent it is feasible to do so without reduction of the number of units otherwise permitted in the Overlay Zone pursuant to Section 16.26I.070 above, care shall be given to protect natural features such as the treed areas, scenic views, wetlands and associated wetland transition areas and buffer areas, steep slopes and drainage ways.

B.

The maximum hard surface coverage in the age-restricted section shall be 40% of the total area of such section and the maximum hard surface coverage in the affordable section shall be 30% of the total area of such section.

C.

The design of the buildings shall provide, where possible, that the front of one building does not face the back of another building or accessory building.

D.

Minimum distance of a building from an interior street or driveway: 35 feet.

E.

Minimum distance of a building from any on-site parking lot, garage or other accessory building: 20 feet.

F.

No market-rate single-family dwelling or multi-family building shall exceed two stories or 35 feet in height, whichever is less. No affordable housing multi-family unit structure shall exceed three stories or 40 feet in height, whichever is less. No accessory community recreation building or community center shall exceed a height of two stories or 45 feet. Entry gatehouses cannot exceed 18 feet in height. Architectural features that add to the natural topography of a tract shall not be included in the height of the dimension.

G.

Interior roads, sidewalks, and driveways shall comply with Residential Site Improvement Standards (RSIS).

H.

The overall development within the Overlay Zone should be designed with a coordinated theme of buildings, signage, landscaping and streetscape, while taking into consideration of the natural features, environmental constraints and site topography. A variety of architectural features and different facades are encouraged to provide visual interest, such as staggering unit setback, different exterior materials, changing of windows, shutters, doors, porches, colors and vertical/horizontal orientations. Buildings shall be designed in accordance with an architectural theme, including signage, which is coordinated with site lighting, street furniture, landscaping, architectural project identity features, and other appurtenances in order to create a sense of place. Green building design and energy efficiency techniques are strongly recommended. To the extent feasible, the development should follow guidelines of the U.S. Green Building Council's Leadership in Energy and Environment Design (LEED).

Although the market-rate units and the affordable units may be built in different sections of the Overlay Zone, the development should be designed to integrate the appearance of the units and other structures in the affordable housing section and the age-restricted section so that units of all types appear to be part of an integrated development. Design and aesthetics of all structures should be compatible with each other, regardless of unit type.

I.

The property must be served by public water and sewer.

J.

There shall be a landscaped (or wooded) buffer of at least 50 feet in width maintained around the perimeter of the property, except where the buffer is located along the property's road frontage, in which case roadway connections to service the project, utilities and clearing necessary to accommodate said improvements shall be permissible. The perimeter buffer shall be increased to 100 feet in width along the Overlay Zone's western boundary adjacent to the Township public works (recycling) facility.

K.

The affordable housing units shall conform to all applicable COAH regulations, including, but not limited to: (1) affordability; N.J.A.C. 5:97-9.3 and N.J.A.C. 5:80-26.3, 26.4 and 26.6; (2) occupant eligibility, N.J.A.C. 5:80-26.7 and 26.16; (3) equal numbers of low income units and moderate income units, N.J.A.C. 5:97-3.3 and 5:80-26.3(a) (unless COAH shall approve a different allocation between low and moderate income units requested by the developer); (4) resale price controls, N.J.A.C. 5:97-9.3 and N.J.A.C. 5:80-26.5 and 26.6; (e) handicapped adaptability and accessibility, N.J.A.C. 5:97-3.14; (5) bedroom mix, N.J.A.C. 5:80-26.3(b); and (6) affirmative marketing, N.J.A.C. 5:80-26.15. Notwithstanding anything in this section to the contrary, in no event shall the Township or the Planning Board impose any procedural or substantive requirement that adds to the burden or cost of development within the Overlay Zone in violation of the requirements set forth in N.J.A.C. 5:97-10.1 to 10.5 and, for purposes of applying such regulations, the market rate and affordable units to be constructed within the Overlay Zone shall be considered a single inclusionary development that is entitled to the benefits of such regulations.

§ 16.26I.100 **Minimum Standards for Single-Family Housing.**

A.

Each lot shall have a minimum area of 6,000 square feet.

B.

Each lot shall have a minimum frontage of 55 feet of roadway on a single road. Where a lot is on a curve of a cul-de-sac, a minimum of 2/3 of the required road frontage shall be required.

C.

Each lot shall have a minimum depth of 100 feet.

D.

Each lot shall have a minimum front yard of 20 feet. (Notes: For internal streets without a ROW, the front yard setback should be increased by 10 feet.)

E.

Each lot shall have a minimum rear yard of 30 feet.

F.

Each lot shall have a minimum side yard of five feet (each side).

G.

Each single-family lot dwelling shall contain a minimum floor area of 1,500 square feet.

§ 16.26I.110 **Minimum Standards for Duplexes, Quads, Townhouses.**

A.
Each lot shall have a minimum front yard of 35 feet from the curb (regardless of public or private streets).

B.
Each building shall have a minimum rear yard separation of 40 feet between the buildings (back to back), and 30 feet (side to back).

C.
Each building shall have a minimum side yard separation of 25 feet (side to side).

§ 16.26I.120 Minimum Standards for Affordable Multi-Family Units.

A.
Minimum lot area of 10 acres.

B.
Each lot shall have a minimum frontage of 100 feet/125 feet (corner).

C.
Each lot shall have a minimum front yard of 30 feet.

D.
Each lot shall have a minimum rear yard of 25 feet.

E.
Each lot shall have a minimum side yard of 30 feet (each side).

§ 16.26I.130 Minimum Standards for Accessory Structures

A.
No accessory building shall exceed the applicable height limit in Subsection 16.26I.090F.

B.
Parking for a clubhouse shall be one space per 200 square feet.

C.
Emergency generators shall only be located in the rear-yard with a rear-yard setback requirement of ten (10) feet.

§ 16.26I.140 Parking, Roads and Sidewalks.

A.
Parking shall be provided as required by RSIS.

B.
Roads shall be designed as required by RSIS.

C.
Sidewalks shall have a minimum width of four feet and must be located along at least one side of each street, between buildings and between parking areas and buildings unless waived by the Planning Board in certain instances.

D.
The developer is encouraged to provide pedestrian and/or bicycle and/or off-road paths with crosswalks and signage for identification and safety purposes. All signs should be designed to complement the theme of the development. Bikeways shall conform to Section 5:21-4.18(b) of RSIS.

E.
The following planning/design techniques are recommended:

1.
On-Street parking may be permitted provided that all RSIS road width and parking lane standards are met or exceeded.
2.
Off-street visitor parking should be fractionalized and logically spread around the development both to conveniently service each housing area rather than centralized for the economy. On-street parking shall be counted only for the visitor share of required spaces.
3.
Parking areas should be set aside attractively for boats, motor homes and commercial vehicles which shall not be parked on unit driveways or on access streets.
4.
Parking lots must be designed so that parked vehicles are not required to back out into a public street to exit the lot.
5.
Every project shall have at least two points of access to the public street system or provide a stable secondary emergency route where two access points are not feasible.
6.
Improvements according to the Township standards shall be provided on all existing public streets for sites having frontage thereon.

7.

Speed calming devices such as roundabouts, constrictions, pavement length limitations, solar speed control signs and other strategies shall be provided.

§ 16.26I.150 **Recreation.**

Any included recreation facilities shall be developed suitably to serve the residents of the dwelling units, but shall be located in an area which will not be detrimental to owners or residents of properties adjacent to the Overlay Zone by virtue of noise, light, glare or any other objectionable features emanating from such facilities. Recreation areas may include fitness trails, pedestrian trails, bikeways, and other active or passive recreational features, as proposed by the developer and approved by the Planning Board.

§ 16.26I.160 **Waste Disposal.**

Waste materials and garbage must be privately disposed of by a method approved by the Township Board of Health. Refuse storage areas shall be so designed as to minimize any detrimental effect on the character of the development, and shall meet the setback requirements set forth herein for groups of dwelling units.

§ 16.26I.170 **Landscaping/Buffering.**

A.

All developments shall be provided with professionally designed and executed landscaping. All areas not utilized for parking areas, driveways, streets and roads, recreational facilities, patios or terraces shall be provided with lawns or other suitable groundcover, trees and shrubs. Continuous evergreen screening shall be provided where multifamily or attached units abut the tract boundary line, such screening to be no less than four feet high when planted. However, if evergreen screening is not feasible, screening shall be provided by a solid fence up to six feet in height.

B.

The developer is encouraged to provide shade trees along walks, driveways, parking areas, streets and roads. Screening or buffers consisting of fencing or landscaping may be required around recreation, parking, utility and refuse disposal areas, and around other similar areas, at the discretion of the Planning Board. All landscaping shall be maintained in good condition and shall be replaced when necessary by the unit owners or the Homeowners' Association for the development.

C.

In lieu of the standard buffer screen plantings, the developer may elect to incorporate a reforestation type planting in the buffer areas. The purpose of the reforestation planting is to protect and restore sensitive resource areas, such as steep slopes, wetland and wetland buffers, and to their original condition. Reforestation shall consist of planting of trees and shrubs and seeding of native meadow plant mixtures. Reforestation shall also include site preparation, such as removal and

control of invasive species, as well as implementation of post-planting maintenance practices to ensure the establishment of the new plantings.

D.

Use of canopy trees throughout the site is recommended to shade both paved surfaces as well as the houses.

§ 16.26I.180 Stormwater Management.

Subject to compliance with the applicable stormwater management plan requirements, developers should consider designing alternative stormwater management plans that would reduce the amount of tree removal and area of disturbance, such as more dispersed smaller scale stormwater management features, rain gardens, reforestation or other alternatives. To the extent feasible without reducing the number of units permitted within the Overlay Zone, stormwater management basins shall be shaped to appear natural and separated from units as far as possible. The basins shall be surrounded by attractive safety fencing.

§ 16.26I.190 Utility Installations.

All utilities serving the developments in the Overlay Zone shall be installed in accordance with the applicable ordinances, regulations and standards of any Federal, State, or local governmental agency, authority or utility unless otherwise authorized by the regulating entity. Subject to the foregoing, all such utilities shall be installed underground at a depth and at such location as will minimize risk or interruption of services.

§ 16.26I.200 Ownership of Common Areas.

The common areas and any facilities, amenities or infrastructure located thereon within any tract utilized for a planned residential development in the Overlay Zone ("Common Facilities") that are not accepted for dedication by the Township shall be conveyed to a corporation, association, or other legal entity having as its owners or members a majority of the property owners within the development (the "HOA"), for their use, control, management and maintenance. Any agreements providing for ownership, use, control, management or maintenance of the Common Facilities by the HOA shall be subject to review and approval by the Planning Board to ensure that adequate safeguards are included to guarantee that the HOA and/or individual unit owners are required to maintain, repair and/or replace (if necessary) the Common Facilities in perpetuity so as to protect the Township from liability for the Common Facilities. In any event, any such agreement shall give the Township the right to perform maintenance and assess the cost to the property owners in the event that the property owners fail to maintain the Common Facilities in accordance with the agreement pursuant to the requirements of N.J.S.A. 40:55D-43.

§ 16.26I.210 Maintenance.

It shall be the responsibility of the HOA and/or individual unit owners to maintain all off-street parking, loading and unloading areas, driveways, aisles and accessways in good condition, free of litter and refuse, potholes, cracked pavement, ice, snow or other seasonal hazards, etc. All lighting, bumpers, markings, signs, drainage and landscaping shall be similarly kept in workable, safe and good condition. If the HOA or any owner fails to undertake repairs, after proper notification by the Building Inspector, the Township Committee may authorize repairs to be made at the HOA's or the unit owner's expense (whichever is applicable) if, in the Committee's opinion, conditions constitute a hazard to the safety and welfare of the Township residents and visitors.

§ 16.26I.220 Signage.

Signage. The development may contain an entry sign at each access road. The sign at the primary entrance to the development may not exceed 32 square feet in area and the sign at the secondary entrance to the development shall not exceed 25 square feet in size. Internal directional signage shall not exceed three square feet in size.

§ 16.26I.230 Preliminary Subdivision and Site Plan Approval for PRD Sections.

A.

See preliminary plat, requirements and procedures set forth in the subdivision and site plan chapters of this Zoning Code. Site plans for multifamily and attached housing, recreation and commercial areas shall be submitted at a scale of no less than one-inch equals 50 feet.

B.

Detailed stormwater and soil erosion and sediment control plans for the entire project shall be submitted.

C.

Changes in the location of roads, units, drainage basin(s) and other infrastructure may be required from the sketch plat if, in the opinion of the Planning Board, the detailed engineering for the project indicates that such changes are necessary.

§ 16.26I.240 Final Submission and Site Plan Approval of PRD Sections.

A.

See final plat requirements and procedures set forth in the subdivision and site plan chapters of this Title 16, Land Development Code.

B.

Site plans shall be submitted at a scale of no less than one-inch equals 50 feet.

C.

A detailed submission of the organizational documents and bylaws of the HOA shall be submitted to the Planning Board for its attorney's review and approval.

§ 16.26I.250 Traffic Impact Study.

Developers for all planned residential developments shall submit a thorough and detailed traffic engineering impact analysis to determine the adequacy of existing streets and intersections in the immediate vicinity of the PRD and the effect of the additional traffic on the environs and surrounding areas.

§16.26I.260 General Development Plan Study Requirements.

A developer may elect to seek approval for a GDP application with respect to a PRD in the Overlay Zone. In connection with a GDP application, the following requirements shall apply:

A.

General Development Plan; Duration.

1.

The general development plan shall set forth the permitted number of dwelling units, the residential density and support facilities, in its entirety, according to a schedule which sets forth the timing of the various sections of the development. The planned Development shall be developed in accordance with the general development plan approved by the Planning Board notwithstanding any provision of P.L. 1975, c.291 (N.J.S.A. 40:55D-1 et seq.), or any ordinance or regulation adopted pursuant thereto after the effective date of the approval of the GDP.

2.

The term of the general development plan approval shall be determined by the Planning Board using the guidelines set forth in this section, except that the term of the approval shall not exceed 20 years from the date upon which the developer receives final site plan or subdivision approval for the first section of the development. Upon the expiration of the initial term and for good cause, the Planning Board may grant extensions of the term up to the maximum term permitted by N.J.S.A. 40:55D-49.

3.

In making its determination regarding the duration of the approval of the general development plan, the Planning Board shall consider the number of dwelling units, prevailing economic conditions, the timing schedule to be followed in completing the development and the likelihood of its fulfillment, the developer's capability of completing the proposed development and the contents of the general development plan and any conditions which the Planning Board attaches to the approval thereof.

B.

Contents of General Development Plan Applications. A general development plan application shall include such information as is reasonably necessary to disclose the following:

1.
The location and size of the site and the nature of the landowner's interest in the land to be developed;
2.
A general land use plan indicating the tract area and general locations of the land uses to be included in the development, the total amount of adult resident facilities to be provided and the density of the entire development;
3.
A circulation plan showing the general location and types of transportation facilities (including facilities for pedestrian access) within the planned development, any proposed improvements to the existing transportation system outside the planned development, and a delineation of which streets are intended to be public and which are to be private;
4.
An open space plan showing the proposed land area and general location of parks and any other land areas to be set aside for conservation and recreational purposes and a general description of improvements proposed to be made thereon, including a statement of the operation and maintenance of parks and recreational lands;
5.
A utility plan indicating the need for and showing the proposed location of sewage and water lines, any drainage facilities necessitated by the physical characteristics of the site, proposed methods for handling solid waste disposal, and a plan for the operation and maintenance of proposed utilities;
6.
A general stormwater management plan setting forth the proposed method of controlling and managing stormwater on the site;
7.
A housing plan outlining the number units to be provided;
8.
A site service plan indicating those public services which the developer proposes to provide and which may include, but not be limited to, water, sewer, cable and solid waste disposal;

9.

A community facility plan indicating the impact of the project on community facilities such as, but not limited to, cultural facilities, libraries, emergency medical, fire and police protection; and

10.

A proposed timing schedule in the case of a planned development whose construction is contemplated over a period of years, including any terms or conditions which are intended to protect the interests of the public and of the residents who occupy any section of the planned development prior to the completion of the development in its entirety.

C.

General Development Plan Approval Procedure.

1.

A developer seeking approval of a planned development may submit a general development plan to the Planning Board prior to the granting of preliminary approval of the development or a section of the development by the Planning Board.

2.

The Planning Board shall grant or deny the general development plan within 95 days after submission of a complete application to the Administrative Officer, or within such further time as may be consented to by the developer. Failure of the Planning Board to act within the period prescribed shall constitute general development plan approval of the planned development.

D.

General Development Plan; Timing Schedule; Modification. In the event that the developer seeks to modify the proposed timing schedule, such modification shall require the approval of the Planning Board. The Planning Board shall, in deciding whether or not to grant approval of the modification, take into consideration prevailing economic and market conditions, anticipated and actual needs for residential units and nonresidential space within the municipality and the region, and the availability and capacity of public facilities to accommodate the proposed development.

E.

Modification of General Development Plan; Requirement for Hearing.

1.

Except as provided hereunder, the developer shall be required to gain the prior approval of the Planning Board if, after approval of the general development plan, the developer wishes to make any variation in the location of land uses within the planned development or to increase the density of residential development or the floor area ratio of nonresidential development in any section of the planned development.

2.

Any variation in the location of land uses or increase in density or floor area ratio proposed in reaction to a negative decision of or condition of development approvals imposed by the Department of Environmental Protection pursuant to P.L. 1973, c. 185 (N.J.S.A. 13:19-1, et seq.) shall be approved by the Planning Board if the developer can demonstrate to the satisfaction of the Planning Board that the variation being proposed is a direct result of such determination by the Department of Environmental Protection.

§ 16.26I.270 Findings for Planned Developments.

Prior to approval of any planned development, the Planning Board shall find as required by N.J.S.A. 40:55D-45 the following facts and conclusions:

A.

That the departures by the proposed development from zoning regulations otherwise applicable to the subject property conform to the zoning standards applicable to the planned development.

B.

That the proposals for maintenance and conservation of the common open are reliable and the amount, location and purpose of the common open space are adequate.

C.

That provision through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic and the amenities of light and air, recreation and visual enjoyment are adequate.

D.

That the proposed planned development will not have an unreasonably adverse impact upon the area in which it is proposed to be established.

E.

In the case of a proposed development which contemplates construction over a period of years, that the terms and conditions intended to protect the interests of the public and of the residents, occupants and owners of the proposed development in the total completion of the development are adequate.

§ 16.26I.280 Permanent Deed Restrictions.

A.

In connection with its application for site plan or subdivision approval for the PRD, the developer of the age-restricted housing units shall submit to the Planning Board for review and approval a proposed form of the permanent deed restrictions for the total age-restricted section in the Overlay Zone and in the deeds for each individual lot within the development that is subject to such age restrictions, methods of implementing the age restrictions.

B.

Such permanent deed restrictions shall be filed prior to issuance of any building permit for any age-restricted dwelling in such development and shall incorporate the following:

1.

In general, the age-restricted development shall provide residential units and support facilities for use by permanent residents 55 years of age or older, except that the following persons under the age of 55 years shall also be allowed as permanent residents:

a.

A spouse or other member of a household under the age of 55 years who resides with another member of a household who is 55 years of age or over including a person who is the child of a permitted occupant residing with such permitted occupant, provided the child is of the age of 19 years or over;

b.

A surviving spouse, child or other family member of a deceased permissible occupant who was residing with the permissible occupant at the time of his/her death, provided that such person is 19 years of age or older;

c.

In accordance with the Federal Fair Housing Act Amendments of 1988, P.L. 100-430 (September 13, 1988) and any amendments thereto, up to 20% of the units may be occupied by one or more individuals if the oldest person occupying such unit is between 45 and 55 years old, provided that all other requirements of this section are met; and

d.

One adult under 55 years of age (other than a spouse) will be admitted as a permanent resident if it is established and approved by the homeowners' association that the presence of such person is essential to the physical care of one or more of the adult occupants. If more than one adult under 55 years of age is necessary to care for the adult occupant, approval shall be required from the homeowners' association and a copy of its decision shall be submitted to the Raritan Township Clerk.

e.

The HOA shall be charged with enforcement of such age restrictions applicable to the land and structures (whether owned in fee or rented), pursuant to its bylaws, rules and regulations, in addition to the restrictions of record, which shall be approved by the Planning Board Attorney.

Section 4. After introduction, the Township Clerk is hereby directed to submit a copy of the Ordinance to the Planning Board of the Township of Raritan for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 5. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 6. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7. This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Hunterdon County Planning Board pursuant to N.J.S.A. 40:55D-16.

Mayor Kuhl read by title Ordinance #19-22.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY AUTHORIZING A FINANCIAL AGREEMENT BETWEEN THE TOWNSHIP OF RARITAN AND JUNCTION ROAD URBAN RENEWAL ASSOCIATES, LLC

Mayor Kuhl asked for a motion to open public hearing.

Motion by Reiner, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-22 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised July 19, 2019 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #19-22

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON,
NEW JERSEY AUTHORIZING A FINANCIAL AGREEMENT BETWEEN THE
TOWNSHIP OF RARITAN AND JUNCTION ROAD URBAN RENEWAL
ASSOCIATES, LLC**

WHEREAS, by Resolution No. 19-145 adopted on June 18, 2019, the Township Committee of the Township of Raritan (the “Committee”) designated property (the “Property”) located at Block 27, Lot 22 as shown on the Tax Map of the Township of Raritan as “a non-condemnation area in need of redevelopment” (the “Redevelopment Area”); and

WHEREAS, pursuant to Ordinance No. 19-20, the Township Committee adopted a redevelopment plan (the “Redevelopment Plan”) for the Redevelopment Area; and

WHEREAS, by Resolution #19-169, adopted on July 16, 2019, the Committee designated Junction Road Urban Renewal Associates, LLC (“Redeveloper”) as the redeveloper of the Redevelopment Area in accordance with the Redevelopment Law, and authorized the execution of a Redevelopment Agreement between the Township and Redeveloper; and

WHEREAS, Redeveloper intends to redevelop the Property by constructing one hundred (100) affordable rental units (the “Project”) thereon; and

WHEREAS, the Committee has determined that the Project will qualify for a tax exemption under the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq. (the “LTTEL”); and

WHEREAS, in accordance with the LTTEL, Redeveloper has filed with the Mayor of the Township an application for approval of a long-term tax exemption (the “Long Term Tax Exemption”) for the Project, which is incorporated herein by reference (the “Application”), to be executed by and between Redeveloper and the Committee; and

WHEREAS, the Mayor submitted the Application to the Committee with his recommendation for approval; and

WHEREAS, the Committee approved the Application by Resolution No. 19-180 dated July 16, 2019; and

WHEREAS, Redeveloper also submitted to the Mayor (as part of the Application) a form of financial agreement (the “Financial Agreement”), to be executed by the Committee and Redeveloper, establishing the rights, responsibilities and obligations of Redeveloper in accordance with the LTTEL; and

WHEREAS, the Committee makes the following findings in accordance with N.J.S.A. 40A:20-11a and N.J.S.A. 40:20-11b regarding the relative benefits and costs of granting the tax abatement for the Project, and the importance of the tax abatement in realizing the development of the Project.

The Township finds that the Long-Term Tax Exemption granted pursuant to the Financial Agreement will benefit the Township and the community by assuring the success of the redevelopment of the Property, which has exhibited the statutorily recognized redevelopment

criteria for years. The benefits of granting the Long-Term Tax Exemption will substantially outweigh the costs, if any, associated with the Long-Term Tax Exemption. The Long-Term Tax Exemption is important to the Township and Redeveloper because without the incentive of the Long-Term Tax Exemption, it is unlikely that the Project would be undertaken. The high costs associated with the development and construction of the Project and the real estate taxes that would otherwise be levied upon the Project would operate as a disincentive to the redevelopment of the Property, and would therefore frustrate the goals and objectives of the Redevelopment Plan and would make the Project materially less competitive in the marketplace.

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 Mayor and Township Clerk are hereby authorized to execute the Financial Agreement with Redeveloper, attached hereto as Exhibit "A."
2. An executed copy of the Financial Agreement shall be certified by and be filed with the Office of the Township Clerk.
3. Within ten (10) calendar days following the later of (i) the effective date of this Ordinance following its final adoption by the Township Committee approving the tax exemption or (ii) the execution of the Financial Agreement by Redeveloper, the Township Clerk shall file certified copies of this Ordinance and the Financial Agreement with the Tax Assessor of the Township and the Chief Financial Officer of Hunterdon County and to Hunterdon County Counsel, in accordance with N.J.S.A. 40A:20-12.
4. The Mayor and Township Clerk are hereby authorized to take such action and to execute such other documents on behalf of the Township as is necessary to effectuate the terms of the Financial Agreement, as deemed advisable by the Township Attorney.
5. This Ordinance shall take effect upon adoption and publication according to law.

CORRESPONDENCE

Letter of commendation for the Tax Collector was acknowledged by Committee members.

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of July 16, 2019.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

Township Committee Executive Session Meeting Minutes

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes of July 16, 2019.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTIONS

Mayor Kuhl read Resolution #19-183 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-183.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-183

A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF A DUMP BODY AND TAILGATE SPREADER FOR THE NEW FREIGHTLINER 108SD IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Township of Raritan is in need of purchasing and installing a dump body and tailgate spreader on the new Freightliner 108SD for the Department of Public Works; and

WHEREAS, the Township of Raritan is a member of ESC NJ COOP; and

WHEREAS, Trius Inc. of 5049 Industrial Road, Farmingdale, NJ 07727 has been awarded contract #17/18-30 and NJ State approved COOP #65MCESCPS through ESC NJ COOP; and

WHEREAS, the Superintendent of Public Works recommends the purchase and installation of a dump body and tailgate spreader on the new Freightliner 108SD through contract #17/18-30 and NJ State approved COOP #65MCESCPS through ESC NJ COOP; and

WHEREAS, the cost of this will be at the bid price as documented by the ESC NJ COOP and appropriated through ordinance #19-13 for the amount of \$55,419.52; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of funds #19-19 for the purchase and installation of said truck dump body and tailgate spreader.

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 and installation of a dump body and tailgate spreader on the new Freightliner 108SD will be purchased through Trius Inc. of 5049 Industrial Road, Farmingdale, NJ 07727 at the ESC NJ COOP price of \$55,419.52.

Mayor Kuhl read Resolution #19-184 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-184.
Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

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

RESOLUTION #19-184

**A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF AN
INTERLOCAL SERVICES AGREEMENT FOR TWO CLASS III SPECIAL LAW
ENFORCEMENT OFFICERS BETWEEN THE FLEMINGTON-RARITAN
REGIONAL SCHOOL DISTRICT BOARD OF EDUCATION AND THE
TOWNSHIP OF RARITAN**

WHEREAS, N.J.S.A. 40A:65-1 et seq., authorizes a local unit to enter into a shared services agreement with another local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive; and

WHEREAS, P.L. 2016 c. 68 ("Chapter 68") was approved by Governor Christie on November 30, 2016; and

WHEREAS, Chapter 68 authorizes municipalities to hire Class III Special Law Enforcement Officers to provide security protection to designated schools; and

WHEREAS, the Township of Raritan has established the position of Class III Special Law Enforcement Officer by Ordinance #19-11; and

WHEREAS, the Flemington-Raritan Regional School District Board of Education has determined that two part-time Class III Special Law Enforcement Officers would improve school safety and security and benefit the entire school community; and

WHEREAS, the Flemington-Raritan Regional School District and the Township of Raritan have agreed it would be beneficial to have the Township of Raritan Police Department provide two Class III Special Law Enforcement Officers to the Flemington-Raritan Regional School District; and

WHEREAS, the Township of Raritan has agreed to provide Flemington-Raritan Regional School District with two part-time Class III Special Law Enforcement Officers from the Township of Raritan Police Department; and

WHEREAS, the Township of Raritan and Flemington-Raritan Regional School District desire to set forth in the attached Interlocal Services Agreement, attached hereto as Exhibit "A," the specific terms and conditions of the services to be performed and provided by the Class III Special Law Enforcement Officers at the Flemington-Raritan Regional School District and the payment for the same; and

WHEREAS, the Township Committee has reviewed the attached Interlocal Services Agreement and finds the terms and conditions of the Agreement to be acceptable and in furtherance of the general public health, welfare and safety of the Township of Raritan community and those attending Flemington-Raritan Regional District schools.

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

1. The Interlocal Services Agreement, attached hereto as Exhibit "A" is hereby ratified and approved and the Mayor is hereby authorized to execute the Agreement on behalf of the Township.
2. The Township Clerk is hereby directed to file a copy of the attached Interlocal Services Agreement with the Division of Local Government Services.
3. A copy of the Interlocal Services Agreement shall be made available in the Township Clerk's office for public inspection.
4. The Interlocal Services Agreement shall take effect upon adoption of Resolutions by the Township of Raritan and the Flemington-Raritan Regional School District Board of Education and execution of the Agreement by the parties.

Mayor Kuhl read Resolution #19-185 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-185.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-185

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO
SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR
SUNRIDGE DRIVE RESURFACING AND BASE REPAIRS**

WHEREAS, there is a need to resurface Sunridge Drive; and

WHEREAS, the Township Engineer, Antoine Hajjar, recommends the resurfacing of this important collector street.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Raritan formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020 – Sunridge Road Resurfacing and Base RE-00678 to the New Jersey Department of Transportation on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Raritan and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mayor Kuhl read Resolution #19-186 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-186.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-186

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO
SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT AGREEMENT WITH
THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR HART
BOULEVARD RESURFACING AND BASE REPAIRS**

WHEREAS, there is a need to resurface Hart Boulevard; and

WHEREAS, the Township Engineer, Antoine Hajjar, recommends the resurfacing of this important collector street.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Raritan formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2020 – Hart Boulevard Resurfacing and Base RE-00613 to the New Jersey Department of Transportation on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Raritan and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Mayor Kuhl read Resolution #19-189 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-189.
Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

RESOLUTION #19-189

**A RESOLUTION AUTHORIZING THE PURCHASE AND INSTALLATION OF
A SNOW PLOW AND WING PLOW FOR THE NEW FREIGHTLINER 108SD
IN THE PUBLIC WORKS DEPARTMENT**

WHEREAS, the Township of Raritan is in need of purchasing and installing a snow plow and a wing plow on the new Freightliner 108SD for the Department of Public Works; and

WHEREAS, the Township of Raritan is a member of the Sourcewell COOP; and

WHEREAS, Little Falls Machine Inc., 300 Lindbergh Drive South, Little Falls, MN 56345 has been awarded contract 080818-LFM through Sourcewell COOP and has allowed their dealer U.S. Municipal Supply Company, PO Box 574, Huntington, PA 16652 to purchase and install the snow plow and wing plow for the Department of Public Works; and

WHEREAS, the Superintendent of Public Works recommends the purchase and installation of a snow plow and a wing plow for the new Freightliner 108SD through contract 080818-LFM through Sourcewell COOP; and

WHEREAS, the cost of this will be at the bid price as documented by the Sourcewell COOP and appropriated through ordinance #19-13 for the amount of \$33,969.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-20 for the purchase and installation of said snow plow and wing plow.

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 and installation of a snow plow and wing plow for the new Freightliner 108SD will be purchased through U.S. Municipal Supply Company, PO Box 574, Huntington, PA 16652 at the Sourcewell COOP price of \$33,969.00.

Mayor Kuhl read Resolution #19-190 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-190.
Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

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

RESOLUTION #19-190

CERTIFICATION OF REVIEW OF THE 2018 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations;" and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Township Committee of the Township of Raritan, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Mayor Kuhl read Resolution #19-191 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-191.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

RESOLUTION #19-191

**RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN
RECOMMENDED IN THE ANNUAL REPORT OF AUDIT FOR 2018**

BE IT RESOLVED by the Mayor and Township Committee of Raritan Township, County of Hunterdon, State of New Jersey that the attached Corrective Action Plan, submitted by William Pandos, Chief Financial Officer, be approved and submitted by the Township Clerk to the Division of Local Government Services.

BE IT FURTHER RESOLVED that a copy will be placed on file in the Clerk's Office at the Municipal Building and made available for public inspection within the next 45 days.

Mayor Kuhl read Resolution #19-192 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-192.
Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

RESOLUTION #19-192

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT
BETWEEN THE TOWNSHIP OF RARITAN AND JUNCTION ROAD URBAN
RENEWAL ASSOCIATES, LLC FOR THE ASSIGNMENT AND ASSUMPTION OF
SEWER CAPACITY FOR THE PROVISION OF AFFORDABLE HOUSING**

WHEREAS, the Township entered into an agreement with the Raritan Township Municipal Utilities Authority (RTMUA) for the provision of 24,000 gallons per day/80 EDUs of sewer capacity for affordable housing purposes, attached hereto as Exhibit “A;” and

WHEREAS, the Township Committee of the Township of Raritan (“Township”), by way of Resolution #17-284, authorized allocation of the same 24,000 gallons per day/80 EDUs in sewer capacity for affordable housing purposes at Block 63.14, Lot 23 of the Township Tax Map (“Dayton Road Property”) attached hereto as Exhibit “B;” and

WHEREAS, the Township now wishes to transfer 23,171 gallons per day/77.25 EDUs from the Dayton Road Property to Junction Road Urban Renewal Associates, LLC for the construction of affordable housing on Block 27, Lot 22 of the Township Tax Map (also known as “South Junction Road Redevelopment Area”); and

WHEREAS, the Township also wishes to place the remaining capacity, 829 gallons per day/2.75 EDUs, into reserve capacity for affordable housing purposes thereby removing all sewer capacity from the Dayton Road Property; and

WHEREAS, the Township now wishes to enter an assignment and assumption agreement with Junction Road Urban Renewal Associates, LLC for 23,171 gallons per day/77.25 EDUs.

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:

The Mayor of the Township of Raritan is authorized to execute the agreement between the Township and the RTMUA attached herein as Exhibit “C” and any other documents necessary to effectuate this resolution.

Mayor Kuhl read Resolution #19-195 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-195.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-195

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF PLASTIC BAGS AS A RECYCLABLE ITEM AT THE TOWNSHIP RECYCLING CENTER

WHEREAS, the residents of the Township of Raritan are in need of a more efficient method of disposing and recycling of plastic bags; and

WHEREAS, the recycling of plastic bags is a benefit to the environment; and

WHEREAS, The Township of Raritan Department of Public Works has the capacity to accept, store and dispose of plastic bags at no additional cost with the recycling process handled by the Trex recycling program in partnership with Kohls Department Stores; and

WHEREAS, the Department of Public Works will deliver the bags to Kohls Department Store of Flemington for pickup by Trex Recycling; and

WHEREAS, Trex Recycling will donate one park bench made of Trex Material for each 500 pounds of bags collected, with a limit of two per calendar year; and

WHEREAS, these benches can be used for the public good in Raritan Township Parks; and

WHEREAS, the Township Committee of the Township of Raritan, upon the recommendation of the Superintendent of the Department of Public Works and Recycling Coordinator, desire to amend the recycling rules and regulations.

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

1. That the Township of Raritan rules and regulations presently in effect for recycling materials remains in effect with the following addition:
 - a. The Township of Raritan shall allow residents to recycle plastic bags with the purchase of recycling stickers as long as the Trex program is available.
2. That this resolution shall take effect immediately.

Mayor Kuhl read Resolution #19-196 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-196.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-196

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF CAROL DEMARCO AS PART-TIME ADMINISTRATIVE ASSISTANT IN THE PLANNING/ZONING AND ENGINEERING DEPARTMENT

WHEREAS, there exists a vacancy for the position of part-time Administrative Assistant in the Planning/Zoning and Engineering Department; and

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

WHEREAS, interviews have been conducted by the Township Administrator, Donald Hutchins, with applicants interested in this position; and

WHEREAS, Donald Hutchins recommends Carol DeMarco for the position of part-time Administrative Assistant.

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 Carol DeMarco is hereby hired as part-time Administrative Assistant in the Planning/Zoning and Engineering Department at a rate of \$19.00 per hour for twenty-eight (28) hours per week on average, effective August 20, 2019.

Mayor Kuhl read Resolution #19-197 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-197.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-197

**A RESOLUTION AUTHORIZING THE EMPLOYMENT OF
JHOAN LOPEZ AS PART-TIME CUSTODIAN**

WHEREAS, there exists a vacancy for the position of part-time Custodian; and

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

WHEREAS, interviews have been conducted by the Township Administrator, Donald Hutchins, with applicants interested in this position; and

WHEREAS, Donald Hutchins recommends Jhoan Lopez for the position of part-time Custodian.

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 Jhoan Lopez is hereby hired as part-time Custodian at a rate of \$15.00 per hour for twenty-eight (28) hours per week on average, effective retroactively to July 29, 2019.

Mayor Kuhl read Resolution #19-201 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-201.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

RESOLUTION #19-201

**A RESOLUTION AUTHORIZING THE MAYOR AND ADMINISTRATOR
TO EXECUTE A COLLECTIVE NEGOTIATIONS AGREEMENT WITH
TEAMSTERS LOCAL 469**

WHEREAS, the Township of Raritan and the Teamsters Local 469 concluded negotiations with respect to a new contract for the period January 1, 2020 through December 31, 2024; and
WHEREAS, a Memorandum of Agreement has been reached regarding the contract terms and conditions as reflected in the contract attached hereto and made a part hereof.

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 terms and conditions in the new contract between the Township of Raritan and the Teamsters Local 469 for the period January 1, 2020 through December 31, 2024 is hereby approved and the Mayor and Administrator are authorized to execute said contract with the Teamsters Local 469 in accordance with said terms and conditions of the agreement attached hereto.

Mayor Kuhl read Resolution #19-202 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-202.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

RESOLUTION #19-202

**A RESOLUTION AUTHORIZING THE MAYOR AND ADMINISTRATOR
TO EXECUTE A COLLECTIVE NEGOTIATIONS AGREEMENT WITH
CWA LOCAL 1040 WHITE COLLAR**

WHEREAS, the Township of Raritan and the CWA Local 1040 White Collar unit have concluded negotiations with respect to a new contract for the period January 1, 2020 through December 31, 2024; and

WHEREAS, a Memorandum of Agreement has been reached regarding the contract terms and conditions as reflected in the contract attached hereto and made a part hereof.

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 terms and conditions in the new contract between the Township of Raritan and the CWA Local 1040 White Collar Unit for the period January 1, 2020 through December 31, 2024 is hereby approved and the Mayor and Administrator are authorized to execute said contract with the CWA Local 1040 in accordance with said terms and conditions of the agreements attached hereto.

Mayor Kuhl read Resolution #19-203 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-203.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-203

**A RESOLUTION AUTHORIZING THE MAYOR AND ADMINISTRATOR
TO EXECUTE A COLLECTIVE NEGOTIATIONS AGREEMENT WITH
CWA LOCAL 1040 HIGHER-LEVEL SUPERVISORY**

WHEREAS, the Township of Raritan and the CWA Local 1040 Higher-Level Supervisory unit have concluded negotiations with respect to a new contract for the period January 1, 2020 through December 31, 2024; and

WHEREAS, a Memorandum of Agreement has been reached regarding the contract terms and conditions as reflected in the contract attached hereto and made a part hereof.

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 terms and conditions in the new contract between the Township of Raritan and the CWA Local 1040 Higher Level Supervisory Unit for the period January 1, 2020 through December 31, 2024 is hereby approved and the Mayor and Administrator are authorized to execute said contract with the CWA Local 1040 in accordance with said terms and conditions of the agreements attached hereto.

Mayor Kuhl read Resolution #19-204 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-204.
Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

RESOLUTION #19-204

**A RESOLUTION AUTHORIZING THE MAYOR AND ADMINISTRATOR
TO EXECUTE A COLLECTIVE NEGOTIATIONS AGREEMENT WITH
CWA LOCAL 1040 - SUPERVISORY**

WHEREAS, the Township of Raritan and the CWA Local 1040 Supervisory Unit, have concluded negotiations with respect to a new contract for the period January 1, 2020 through December 31, 2024; and

WHEREAS, a Memorandum of Agreement has been reached regarding the contract terms and conditions as reflected in the contract attached hereto and made a part hereof.

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 terms and conditions in the new contract between the Township of Raritan and the CWA Local 1040 Supervisory Unit for the period January 1, 2020 through December 31, 2024 is hereby approved and the Mayor and Administrator are authorized to execute said contract with the CWA Local 1040 in accordance with said terms and conditions of the agreements attached hereto..

Mayor Kuhl read Resolution #19-205 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-205.
Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

RESOLUTION #19-205

**A RESOLUTION AUTHORIZING THE MAYOR AND ADMINISTRATOR
TO EXECUTE A SIDE BAR AGREEMENT WITH
PBA 337 AND SOA 337A**

WHEREAS, the Township and the PBA 337 and SOA 337 A are parties to a collective negotiation's agreement ("CNA") effective January 1, 2016 through December 31, 2019; and

WHEREAS, the Township has requested the PBA 337 and SOA 337A participate in the Specialty Drug Copay Assistance Program; and

WHEREAS, both parties agree that the Specialty Drug Copay Assistance Program is mutually beneficial to both parties.

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 Mayor and Administrator are authorized to execute a Side Bar Agreement for the Specialty Drug Copay Assistance Program with the PBA 337 and SOA 337A in accordance with said terms and conditions of the agreements attached hereto.

Mayor Kuhl read Resolution #19-206 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-206.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-206

**A RESOLUTION AUTHORIZING THE MAYOR AND ADMINISTRATOR
TO EXECUTE A SIDE BAR AGREEMENT WITH
TEAMSTERS LOCAL 469**

WHEREAS, the Township and the Teamsters Local 469 are parties to a collective negotiation's agreement ("CNA") effective January 1, 2016 through December 31, 2019; and

WHEREAS, the Township has requested the Teamsters Local 469 participate in the Specialty Drug Copay Assistance Program; and

WHEREAS, both parties agree that the Specialty Drug Copay Assistance Program is mutually beneficial to both parties.

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 Mayor and Administrator are authorized to execute a Side Bar Agreement for the Specialty Drug Copay Assistance Program with the Teamsters Local 469 in accordance with said terms and conditions of the agreements attached hereto.

Mayor Kuhl read Resolution #19-207 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-207.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

RESOLUTION #19-207

**A RESOLUTION AUTHORIZING THE MAYOR AND ADMINISTRATOR
TO EXECUTE A SIDE BAR AGREEMENT WITH
CWA LOCAL 1040 WHITE COLLAR, SUPERVISORY AND HIGHER- LEVEL
SUPERVISORY UNITS**

WHEREAS, the Township and the CWA Local 1040 are parties to a collective negotiation's agreement ("CNA") effective January 1, 2016 through December 31, 2019; and

WHEREAS, the Township has requested the CWA Local 1040 participate in the Specialty Drug Copay Assistance Program; and

WHEREAS, both parties agree that the Specialty Drug Copay Assistance Program is mutually beneficial to both parties.

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 Mayor and Administrator are authorized to execute a Side Bar Agreement for the Specialty Drug Copay Assistance Program with the CWA Local 1040 in accordance with said terms and conditions of the agreements attached hereto.

Mayor Kuhl read Resolution #19-199 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-199.
Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

RESOLUTION #19-199

**A RESOLUTION APPOINTING DONALD HUTCHINS AS THE MUNICIPAL
HOUSING LIAISON FOR THE TOWNSHIP OF RARITAN**

WHEREAS, the Township of Raritan was granted substantive certification of its Housing Element and Fair Share Plan by the Council on Affordable Housing (COAH) on June 18, 2019; and

WHEREAS, the Township of Raritan's Fair Share Plan promotes an affordable housing program pursuant to the Fair Housing Act (N.J.S.A. 52:27D-301, et. seq.) and COAH's Third Round Substantive Rules (N.J.A.C. 5:94-1, et. seq.); and

WHEREAS, pursuant to N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; the Township of Raritan is required to appoint a Municipal Housing Liaison for the administration of the Township of Raritan's affordable housing program to enforce the requirements of N.J.A.C. 5:94-7 and N.J.A.C. 5:80-26.1 et. seq.; and

WHEREAS, Chapter 15.20.050 of the Township Municipal Code, entitled Municipal Housing Liaison; Compensation; Powers and Other Duties provides for the appointment of a Municipal Housing Liaison to administer the Township of Raritan's affordable housing program.

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 Donald Hutchins is hereby appointed as the Municipal Housing Liaison for the administration of the affordable housing program, pursuant to and in accordance with Chapter 15.20.050 of the Township of Raritan's Municipal Code.

Mayor Kuhl read Resolution #19-208 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-208.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-208

A RESOLUTION AMENDING RESOLUTION #19-162 AUTHORIZING THE MAYOR AND ADMINISTRATOR TO EXECUTE A COLLECTIVE NEGOTIATIONS AGREEMENT WITH PBA LOCAL 337

WHEREAS, the Township of Raritan and the PBA Union Local 337 concluded negotiations with respect to a new contract for the period January 1, 2020 through December 31, 2024; and

WHEREAS, the Township Committee adopted Resolution #19-162 authorizing the Administrator and Mayor to execute a Memorandum of Agreement at a special meeting on July 2, 2019; and

WHEREAS, it has come to the attention of the Administrator and PBA Local 337 that there was an error in the language of the Memorandum of Agreement, specifically Item seven (7) Article XXII – Insurance, B. Section 5. and 5 b.; and

WHEREAS, B. Section 5 is amended to read “Any employee hired before January 1, 2020” in the beginning of the first sentence and 5 b. is amended to add as the last sentence “See appendix E for other plans available;” and

WHEREAS, the Memorandum of Agreement has been amended as stated above and attached hereto regarding the contract terms and conditions.

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 terms and conditions in the new contract between the Township of Raritan and the PBA Local 337 for the period January 1, 2020 through December 31, 2024 is hereby approved as amended and the Mayor and Administrator are authorized to execute said contract with PBA Union Local 337 in accordance with said terms and conditions.

Raritan Township Fire Company Application

Mayor Kuhl asked for a motion to approve the Fire Company Application for Jon Hollekim.
Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None
RECUSE: 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 Kuhl asked for a motion to approve the Consent Agenda.
Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

RESOLUTION #19-187

A RESOLUTION AUTHORIZING THE RETURN OF DEVELOPER'S ESCROW

WHEREAS, Sheldon and Barbara Daniels have requested the return of a Developer's Escrow; and

WHEREAS, Kristi Gano, Payroll/Benefits Coordinator, has submitted a memo dated July 23, 2019 and recommended the return of the following Developer's Escrow:

Sheldon & Barbara Daniels SP-677-P \$865.94

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 \$865.94 posted by Sheldon and Barbara Daniels is hereby refunded.

RESOLUTION #19-188

**A RESOLUTION AUTHORIZING THE REFUND
OF CONSTRUCTION PERMIT FEES (BRINKERHOFF ENTERPRISES)**

WHEREAS, Brinkerhoff Enterprises has requested the refund of a permit fee from the Construction Code Office; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated July 24, 2019 recommending the refund of building permit fees in the amount of \$2,483.00.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that building permit fees in the amount of \$2,483.00 paid by Brinkerhoff Enterprises are hereby refunded.

RESOLUTION #19-193

**A RESOLUTION AUTHORIZING RELEASE OF CASH PERFORMANCE AND
SURETY GUARANTEES FOR WAWA, INC.**

WHEREAS, WAWA, Inc. posted a cash performance bond in the amount of \$865.74 and surety bond #106697871 in the amount of \$7,791.66; and

WHEREAS, WAWA, Inc. has requested the return of its cash performance and surety bonds; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the return of the cash performance bond in the amount of \$865.74 and the surety bond in the amount of \$7,791.66.

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 in the amount of \$865.74 and surety bond #106697871 in the amount of \$7,791.66 are hereby returned to WAWA, Inc.

RESOLUTION #19-194

**A RESOLUTION AUTHORIZING THE RELEASE OF A DRIVEWAY BOND
(TYAGI)**

WHEREAS, Nishant Tyagi has requested the release of a driveway bond posted in the amount of \$1,000.00 for Block 34, Lot 8 (125 Pennsylvania Avenue); and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the release of the driveway bond in the amount of \$1,000.00.

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 release of the driveway bond in the amount of \$1,000.00 posted by Nishant Tyagi is hereby granted.

RESOLUTION #19-198

**A RESOLUTION AUTHORIZING THE RELEASE OF A CASH PERFORMANCE
BOND (FLEMINGTON INDUSTRIAL PARK, LLC)**

WHEREAS, Suresh Patel of Flemington Industrial Park, LLC has requested the release of a cash performance bond; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the release of the cash performance bond in the amount of \$7,500.00 plus any accrued interest.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, that the cash performance bond in the amount of \$7,500.00 plus any accrued interest is hereby returned.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenway Drive, inquired as to whether the litigation with AADARI v. the Township of Raritan was settled; expressed dissatisfaction for the Planning Board's decision regarding tree replacement for the generator application at the Hunterdon Medical Center; and voiced the opinion that the failure to notice the cancellation of the Open Space Committee meeting was disrespectful to citizens.

Kari McGann, Superintendent of Schools, Flemington-Raritan Regional School District, expressed gratitude for the Township's partnership for Class III Special Law Enforcement Officers.

Christopher Walker, 8 Kuehn Court and a member of the Flemington-Raritan Regional School District Board of Education, expressed words of praise for Ms. McGann's performance as Superintendent of Schools and same for current School Resource Officer (SRO), Timothy Nemeth and past SRO, Michael Bokash. Mr. Walker expressed appreciation to all parties involved for coming together in an effort to better serve, protect and educate all students in the community.

Dr. Marianne Kenney, Chair of policy, Flemington-Raritan Regional School District Board of Education, also expressed gratitude for the interlocal agreement for Class III Special Law enforcement officers.

During Public Comment, Township Attorney, Ed Purcell, addressed the inquiry regarding litigation with the AADARI advising of a settlement for attorney's fees. Committee Member Gilbert addressed concerns regarding tree replacement at the Hunterdon Medical Center explaining that the Planning Board's decision was consistent with the Township Ordinance for tree removal. Committee Gilbert advised that the Ordinance allows for any time a specimen tree is removed out of necessity it will be replaced with something else that will eventually become a large tree. Committee Member Gilbert also added that to plant a 24-inch tree and have it survive, is next to impossible.

Regarding comments referring to notice of the meeting cancellation of the Open Space Committee, Municipal Clerk, Lisa Fania, commented that she had advised Mrs. Sachau that it was her mistake that the cancellation was not properly noticed and that she could be added to agenda and notice distribution going forward.

ADJOURNMENT

Mayor Kuhl asked for a motion to adjourn.

Motion by Reiner, seconded by Gilbert

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:07 p.m.

Respectfully submitted,



Lisa Fania, RMC

Township Clerk