

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

**RESOLUTION #20-46**

**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: Habitat for Humanity Agreement for the Purchase and Sale of Real Estate
  - b) Personnel:
  - c) Attorney-Client Privilege:
  - d) Pending Litigation: TapInto v. Township of Raritan Update
3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
4. The Committee will return to Regular Session and may take further action.
5. This Resolution shall take effect immediately.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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Lisa Fania, RMC  
Township Clerk

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
	<b>Current Fund</b>		
2587 - A. PETER ENEA	PO 10527 01/02/20 - 01/21/20	838.64	838.64
4772 - ADOBE SYSTEMS, INC.	PO 10157 Additional Acrobat Licenses	322.80	322.80
1640 - APPROVED FIRE PROTECTION CO	PO 10158 FIRE EXTINGUISHERS INSPECTION	1,720.35	1,720.35
334 - ATLANTIC TACTICAL OF NJ, INC.	PO 9771 Uniforms for Class III Officers	1,746.51	1,746.51
	PO 9771 Uniforms for Class III Officers	307.97	2,054.48
4955 - BCI TRUCK	PO 10428 Degreaser & Soap	102.00	
	PO 10462 25 Exhaust Repair	39.73	141.73
4356 - BLEJWAS ASSOC., INC	PO 10445 HVAC FILTERS	394.16	
	PO 10459 HVAC FILTERS	275.48	669.64
2277 - BOROUGH OF FLEMINGTON	PO 10530 HYDRANT SERVICES FOR 2020	3,075.12	3,075.12
4358 - BREWER ASSOC	PO 10388 Paper/toner for large printer	104.16	104.16
2382 - BRIAN TAGGERT	PO 10476 B-SNOW MEALS 2020	15.00	15.00
4541 - BRION FLEMING, CUST OF PETTY CASH	PO 10420 Janitorial Supplies	8.71	8.71
4297 - COMCAST- #0118571	PO 10504 DECEMBER 2019	466.52	466.52
4935 - COMCAST-#0043217	PO 10525 B-INTERNET SERVIACES	13.95	13.95
3495 - DANIELLE LANGREDER	PO 10501 1099'S	37.99	37.99
3258 - DEER CARCASS REMOVAL SERV	PO 10000 DEER CARCASS REMOVAL	378.00	378.00
1048 - DEMPSEY UNIFORM & LINEN SUPPLY	PO 10390 BLANKET - MAT SERVICE	102.96	102.96
4994 - DFFILM, LLC	PO 10419 Parts	534.74	534.74
4994 - DFFILM, LLC	PO 10463 Battery Jump Box	350.00	350.00
3833 - DIFRANCESCO BATEMAN, PC	PO 10505 NOVEMBER 2019 - LEGAL SERVICES	5,298.70	5,298.70
1058 - DURA-WEAR GLOVE & SAFETY CO	PO 10260 SAFETY VESTS & GLOVES	668.50	668.50
1391 - EAST PENN RE-BUILDERS, IN	PO 10468 trk 1 Spreader Control	255.00	255.00
263 - ELIZABETHTOWN GAS	PO 10524 DECEMBER 2019	2,836.07	2,836.07
4577 - ESRI	PO 10351 GIS software and hardware	1,711.00	1,711.00
3511 - FASTENAL CO	PO 10403 trk 5 Light repair parts	35.04	
	PO 10486 trk 9 Light repair parts	6.95	41.99
4330 - FIRE & SAFETY SERVICES	PO 10289 Tac & Brush Trucks Battery Maintain	1,595.83	1,595.83
302 - FLEMINGTON DEPARTMENT STORE	PO 10228 Desk Operator Uniforms	1,080.10	
	PO 10241 Long Sleeve Shirt	95.50	
4840 - GENERAL CODE	PO 10399 Clothing Accessories and Sewing	280.98	1,456.58
4758 - GENERAL PLUMBING SUPPLY INC	PO 10142 eCode 360 Annual Maintenance	1,195.00	1,195.00
354 - GOODYEAR AUTO CENTER	PO 10448 SHOP SINK REPAIR	25.02	25.02
11 - GRAINGER	PO 10427 Police Tires	750.00	750.00
5013 - HARRY FUERSTENBERGER	PO 10409 Medical Supplies	143.06	143.06
3914 - HOME DEPOT CREDIT SREV	PO 10528 01/13/20 - 01/15/20	231.53	231.53
	PO 9949 BLANKET	713.71	
	PO 10268 ROAD SUPPLIES	299.35	
	PO 10291 Tools	950.48	
	PO 10293 24' rakes	140.91	
	PO 10301 ROAD SUPPLIES	35.88	
	PO 10318 Supplies	2,306.24	
3914 - HOME DEPOT CREDIT SREV	PO 10363 Road Supplies	46.54	2,140.33

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
1393 - HUGHES-PLUMER & ASSOCIATE	PO 10364 Shop Supplies	68.30	2,421.08
	PO 10314 Employee Bond, Timlin	250.00	
	PO 10393 Bond Renewal-Silvia	745.00	995.00
4294 - IAAO	PO 10327 Membership/Dues	200.00	200.00
1062 - J.C. EHRlich CO INC	PO 10431 PEST CONTROL BLANKET	62.00	62.00
1861 - JAMES HARPER	PO 10475 B-SNOW MEALS 2020	15.00	15.00
4927 - JOHN STUMLER POLICE ACADEMY	PO 10439 Patrol Supervision and Defensive Ta	270.00	
	PO 10443 Intensive Introduction to Cellular	30.00	300.00
291 - JOSEPH FINKLE & SON	PO 10489 Steel plate for truck body	630.91	630.91
4322 - LINK HIGH TECH INC	PO 9536 B-IT Remote and Onsite Support	475.00	
	PO 10270 Monitors	1,183.70	1,658.70
2295 - MARIANNE BUSHER	PO 10434 Training Webinar	45.00	45.00
1433 - MCELROY, DEUTSCH ETC...	PO 10521 DECEMBER 2019	405.30	405.30
5 - MCMaster-CARR SUPPLY CO.	PO 10467 Shop Flex Exhaust Hose	194.67	194.67
562 - MGL PRINTING SOLUTIONS	PO 10140 Minute, Resolution, Ordinance Binde	1,227.00	1,227.00
2741 - MICHAEL RASILE	PO 10477 B-SNOW MEALS 2020	15.00	15.00
4649 - MORTON SALT INC	PO 10346 Road Salt #51-HCCPS	2,742.99	2,742.99
2265 - MOTOROLA SOLUTIONS, INC	PO 7835 Vehicle Radios State Contract #8390	1,698.80	1,698.80
4061 - NORTH EAST PARTS GROUP	PO 10397 PARTS BLANKET	1,755.05	1,755.05
3881 - NEW JERSEY AMERICAN WATER	PO 10529 12/10/19 - 01/09/20	924.44	924.44
372 - NJ ADVANCED MEDIA	PO 10512 Case Boulevard Resurfacing Bid	47.96	47.96
641 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 10389 Membership Dues - Township	1,679.00	1,679.00
4614 - NJNEOA	PO 10437 Drug Interdiction Training	75.00	75.00
4353 - NJRA	PO 10408 New Membership and Membership Renew	50.00	50.00
673 - RACHLES/MICHELE'S OIL CO	PO 10048 GASOLINE-BLANKET	9,730.58	9,730.58
4227 - READY REFRESH	PO 10503 B - WATER FOR 2020	128.26	128.26
1939 - ROBERT H HOOVER & SONS	PO 10461 trk 25 Switch & Foot Valve	432.66	
	PO 10490 trl 9 Light Repair Parts	37.67	470.33
386 - RR DONNELLEY	PO 10086 Vital Records	955.50	955.50
911 - RUTGERS	PO 10406 CPWM Conference 2020	490.00	
	PO 10410 Public Works Managers Convention	245.00	735.00
2512 - SF MOBILE-VISION	PO 10231 MVR Replacement Batteries	123.63	123.63
828 - SHAMMY SHINE CAR WASHES	PO 10436 Car Wash	12.99	12.99
3350 - STASHLUK MECHANICAL CONTRACTORS INC	PO 9478 Remove Rebuild and Reinstall Hot Wa	2,375.00	2,375.00
1561 - STICKEL, KOENIG, SULLIVAN & DRILL	PO 10522 DECEMBER 2019	717.75	717.75
4902 - SUPPLYWORKS	PO 10227 CEILING TILES ESCNJ CO-OP#65MCESCCP	292.80	292.80
4397 - THE HOSE SHOP	PO 10491 Mower 70 Hydraulic Repair Parts	66.24	66.24
735 - TRANSUNION RISK &	PO 10400 Investigative Information for Detec	646.90	646.90
2142 - VERIZON WIRELESS	PO 10494 DECEMBER 2019	18.02	
	PO 10495 DECEMBER 2019	42.53	
	PO 10496 DECEMBER 2019	372.91	
	PO 10497 DECEMBER 2019	302.77	
	PO 10498 DECEMBER 2019	1,117.98	1,117.98
	PO 10499 DECEMBER 2019	1,120.80	1,120.80

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total		
486 - WOODRUFF ENERGY	PO 10500 DECEMBER 2019	1,138.63			
4489 - ZORO	PO 10502 DECEMBER 2019	346.67	4,460.31		
	PO 10526 DECEMBER 2019	1,743.53	1,743.53		
	PO 9966 Lockout Kit	228.75	228.75		
1313 - RARITAN HEADWATERS ASSOC	<b>Grants</b>				
	PO 10473 Donation for stream cleanup through	500.00	500.00		
4317 - CLARKE CATON HINTZ	<b>Trust</b>				
5039 - KYIE MCMANUS ASSOCIATES	PO 9936 Mt. Laurel	36.94	36.94		
1433 - MCELROY, DEUTSCH ETC...	PO 10412 COAH - DECEMBER 2019	250.00	250.00		
1014 - NJ STATE DEPT OF HEALTH	PO 10535 DECEMBER 2019	2,723.35	2,723.35		
	PO 10444 December 2019 Dog License fees due	36.60	36.60		
3511 - FASTENAL CO	<b>Capital</b>				
4049 - PRAXAIR	PO 10430 BOLTS, NUTS & WASHERS FOR INLETS	377.04	377.04		
	PO 10365 Acetylene Bottle	70.03	70.03		
	<b>TOTAL</b>		<b>73,007.83</b>		
<b>Summary By Account</b>					
<b>ACCOUNT</b>	<b>DESCRIPTION</b>	<b>CURRENT YR</b>	<b>APPROP. YEAR</b>	<b>NON-BUDGETARY</b>	<b>CREDIT</b>
01-101-01-000-001	CASH TD BANK			0.00	69,013.87
01-201-20-100-200	TOWNSHIP ADMINISTRATOR O/E	1,679.00			
01-201-20-101-200	POSTAGE & PHOTOCOPYING	104.16			
01-201-20-120-200	TOWNSHIP CLERK - OE	1,070.17			
01-201-20-130-200	FINANCIAL ADMINISTRATION OE	37.99			
01-201-20-140-200	DATA PROCESSING SERVICES OE	13.95			
01-201-20-150-200	TAX ASSESSOR OE	45.00			
01-201-20-165-200	ENGINEERING SERVICES	292.96			
01-201-21-185-200	ZONING BOARD OE	717.75			
01-201-22-195-200	CONSTRUCTION OFFICIAL OE	12.99			
01-201-25-240-200	POLICE OE	1,302.88			
01-201-25-253-200	STORMWATER MGMT PLAN-ENG	1,711.00			
01-201-25-266-200	FIRE HYDRANTS	3,075.12			
01-201-26-290-200	ROAD REPAIR & MAINTENANCE OE	536.54			
01-201-26-295-200	SNOW REMOVAL OE	2,787.99			
01-201-26-306-200	P.E.O.S.H.A. ROADS OE	93.12			
01-201-26-310-200	PUBLIC PROPERTY (B&G) OE	1,453.01			
01-201-26-315-200	VEHICLE MAINTENANCE OE	4,724.22			
01-201-27-330-200	BOARD OF HEALTH OE	50.00			
01-201-28-370-200	RARITAN TOWNSHIP RECREATION OE	47.97			

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-31-440-200	UTILITIES	1,871.79			
01-203-20-100-200	(2019) TOWNSHIP ADMINISTRATOR O/E		2,714.17		
01-203-20-120-200	(2019) TOWNSHIP CLERK - OE		2,422.00		
01-203-20-140-200	(2019) DATA PROCESSING SERVICES OE		138.11		
01-203-20-150-200	(2019) TAX ASSESSOR OE		200.00		
01-203-20-155-200	(2019) LEGAL SERVICES OE		5,298.70		
01-203-21-185-200	(2019) ZONING BOARD OE		405.30		
01-203-22-195-200	(2019) CONSTRUCTION OFFICIAL OE		1,183.70		
01-203-23-210-200	(2019) OTHER INSURANCE		995.00		
01-203-25-240-200	(2019) POLICE OE		1,299.23		
01-203-25-267-200	(2019) FIRE OFFICIAL OE		228.75		
01-203-26-290-200	(2019) ROAD REPAIR & MAINTENANCE OE		2,745.19		
01-203-26-295-200	(2019) SNOW REMOVAL OE		387.62		
01-203-26-306-200	(2019) P.E.O.S.H.A. ROADS OE		668.50		
01-203-26-310-200	(2019) PUBLIC PROPERTY (B&G) OE		5,615.68		
01-203-26-315-200	(2019) VEHICLE MAINTENANCE OE		2,054.97		
01-203-27-330-200	(2019) BOARD OF HEALTH OE		955.50		
01-203-31-440-200	(2019) UTILITIES		17,997.04		
01-203-32-465-200	(2019) SOLID WASTE		378.00		
01-204-55-000	Accounts Payable		1,698.80		
<b>TOTALS FOR</b>	<b>Current Fund</b>	<b>21,627.61</b>	<b>45,687.46</b>	<b>1,698.80</b>	<b>69,013.87</b>
02-101-01-000-01	Grant Checking			0.00	500.00
02-213-41-731-000	2019 Grant Expenditures			500.00	
<b>TOTALS FOR</b>	<b>Grants</b>	<b>0.00</b>	<b>0.00</b>	<b>500.00</b>	<b>500.00</b>
03-101-01-000-018	Housing Trust			0.00	3,010.29
03-101-01-000-028	Animal			0.00	36.60
03-286-55-102	Due To State of New Jersey			36.60	
03-289-10-110-007	Housing			3,010.29	
<b>TOTALS FOR</b>	<b>Trust</b>	<b>0.00</b>	<b>0.00</b>	<b>3,046.89</b>	<b>3,046.89</b>
04-101-01-000-001	Checking TD Bank			0.00	447.07
04-215-56-311-000	Cap Ord#19-13 Var Capital Improvements			447.07	
<b>TOTALS FOR</b>	<b>Capital</b>	<b>0.00</b>	<b>0.00</b>	<b>447.07</b>	<b>447.07</b>

Summary By Account

ACCOUNT DESCRIPTION CURRENT YR APPROP. YEAR NON-BUDGETARY CREDIT

Total to be paid from Fund 01 Current Fund 69,013.87  
 Total to be paid from Fund 02 Grants 500.00  
 Total to be paid from Fund 03 Trust 3,046.89  
 Total to be paid from Fund 04 Capital 447.07  
 =====  
 73,007.83

Checks Previously Disbursed

ACCOUNT	DESCRIPTION	PO#	DATE	AMOUNT	DATE	AMOUNT
13120	RARITAN TWP PAYROLL AGENCY	10523	PAYROLL 01/31/20	349,224.49	1/31/2020	
13120	RARITAN TWP PAYROLL AGENCY	10523	PAYROLL 01/31/20	89.42	1/31/2020	
13120	RARITAN TWP PAYROLL AGENCY	10523	PAYROLL 01/31/20	15,375.00	1/31/2020	
13120	RARITAN TWP PAYROLL AGENCY	10523	PAYROLL 01/31/20	8.21	1/31/2020	
8	MERITAIN HEALTH	10361	B -2020 Health Insurance Claims	37,122.61	1/24/2020	
2	MERITAIN HEALTH	10358	B-2020 Medical Claims Funding	150,000.00	1/23/2020	
8	MERITAIN HEALTH	10361	B -2020 Health Insurance Claims	30,445.64	1/24/2020	
12720	RARITAN TWP CAPITAL ACCOUNT	10493	RETURN OF INTERFUND	1,500,000.00	1/27/2020	
11420	MICROSOFT	10474	B-IT SERVICES	775.48	1/14/2020	
2	DELTA DENTAL PLAN NJ INC	10357	B-2020 Dental	10,074.23	1/22/2020	
1	PROACT, INC	10359	B- RX for 2020	63,906.27	1/20/2020	
7	MERITAIN HEALTH	10361	B -2020 Health Insurance Claims	10,229.29	1/16/2020	
6	MERITAIN HEALTH	10361	B -2020 Health Insurance Claims	32,554.74	1/20/2020	
11720	RARITAN TWP CURRENT ACCT	10435	INTERFUND - CAP TO C/A	1,500,000.00	1/17/2020	
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				3,699,805.38		

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 Current Fund	2,184,332.75	69,013.87	2,253,346.62
Fund 02 Grants		500.00	500.00
Fund 03 Trust	15,472.63	3,046.89	18,519.52
Fund 04 Capital	1,500,000.00	447.07	1,500,447.07
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BILLS LIST TOTALS	3,699,805.38	73,007.83	3,772,813.21
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# RARITAN TOWNSHIP MEMORANDUM

9a.

Date: January 21, 2020

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

From: Brion Fleming, P.W. Superintendent

Re: Snow Removal Costs  
Storm on: 1/18/20 – 1/19/20  
Official Accumulation: 2.6 Inches  
Duration employees worked: 12 Hours  
Services: Salt & Plow

OT Hours	136.41	@ \$51.30/hour	\$ 6,997.83
Salaried Employees	32.5	@ 66.00/hour	\$ 2,145.00

Total Personnel Cost= \$ 9,142.83

OT Hours Requested in Comp	128.84
Total Hours Employees Will Be Off	193.26

Salt	520.50 Tons	@50.59/ton	\$ 26,332.10
Calcium Chloride	1,100 Gals	@1.0340/gal	\$ 1,137.40
Sidewalk Salt (50lb bag)	2 Bags	@12.50/bag	\$ 25.00

Total Material Cost= \$ 27,494.50

Total Other Expenses(Meals)= \$ 45.00

**TOTAL COST OF SNOW REMOVAL = \$ 36,682.33**

Notes/Comments:

Storm started out with snow and ended with freezing rain. Employees plowed and salted all roadways.

TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #20-06

**AN ORDINANCE AUTHORIZING THE TOWNSHIP OF RARITAN TO PURCHASE A PORTION OF BLOCK 22, LOT 24 OF APPROXIMATELY 19.753 ACRES AND ALL OF BLOCK 22, LOT 25.03 FROM GLENN BROWNSTEIN AND MARY BROWNSTEIN IN AN AMOUNT OF \$273,456.00**

**WHEREAS**, the Township of Raritan negotiated with Glenn Brownstein and Mary Brownstein, husband and wife (“Sellers”), to purchase a portion of Block 22, Lot 24 and all of Block 22, Lot 25.03 (“Property”) for open space, conservation and recreational or similar uses as authorized in N.J.S.A. 40A:12-1 et seq.; and

**WHEREAS**, the negotiations resulted in an agreement being reached subject to the approval and ratification of the Township Committee; and

**WHEREAS**, the Township Attorney drafted an “Agreement for Purchase of Real Estate” (“Contract”) between Glenn Brownstein and Mary Brownstein, husband and wife, and the Township, which Contract was reviewed and approved by the attorneys for Glenn Brownstein and Mary Brownstein, husband and wife; and

**WHEREAS**, the Contract calls for a total purchase price in an amount not to exceed \$273,456.00 for the Property; and

**WHEREAS**, the Township Committee reviewed the Contract and wishes to authorize its execution by the Mayor and Clerk; and

**WHEREAS**, the Township Committee desires to authorize the Township Administrator, Clerk and Attorney to take all required action to satisfy all contingencies contained in the Contract; and to arrange to close within forty-five (45) days from the effective date of the Contract; and

**WHEREAS**, the Open Space Advisory Committee recommended the acquisition of the Property for the purposes set forth hereinbefore and the funding of such acquisition from the following funding sources:

The funding sources for the Purchase Price will be:

\$135,925.00 County of Hunterdon  
Open Space Trust Fund

\$135,925.00 Green Acres Program Grant

\$ 1,606.00 Township of Raritan Open Space Trust Fund

\$273,456.00 Total

**WHEREAS**, the Township will fund the purchase price through the Funding Sources; and

**WHEREAS**, the Township Committee desires to adopt this Ordinance to authorize the acquisition of the Property, authorize the funding for the acquisition of the Property and authorize allocating funds from the County of Hunterdon Open Space Trust Fund and Green Acres Program; and

**WHEREAS**, the Township Committee desires to authorize the Township Administrator, Clerk and Attorney to obtain all necessary studies, including title searches, surveys and Phase I Environmental Site Assessment consistent with the County of Hunterdon Open Space Trust Fund and Green Acres Program requirements; and

**WHEREAS**, it is the intention of the Township, if necessary, to transfer, convey, assign or restrict the Property as required by the County of Hunterdon Open Space Trust Fund and Green Acres Program in order to receive reimbursement provided that the Township remains liable to the Sellers under the Contract; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13(b)(1) and N.J.S.A. 40A:12-13.4, authorizes the Township to transfer unneeded municipal interests in land to another governmental entity at a private sale provided that the property continues to serve a public purpose; namely, preserved for open space, conservation and recreation or similar uses as authorized in N.J.S.A. 40A:12-1 et seq.; and

**WHEREAS**, if required by the Funding Sources, the Township will transfer any interest it may have in the Property to another governmental or not for profit entity for open space, conservation, recreation or other similar use.

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

1. This Ordinance, upon final adoption, shall authorize the Township of Raritan to acquire the Property, authorize the funding for the acquisition of the Property, authorize appropriating the funds from the County of Hunterdon Open Space Trust Fund and Green Acres Program, authorize all necessary studies, including title searches, surveys and a Phase I Environmental Site Assessment consistent with the Green Acres Program regulations and expend money from the Township Open Space Trust Fund for due diligence purposes.
2. The Township of Raritan Mayor and Clerk are hereby directed and authorized to utilize the Funding Sources for this purchase, execute an "Agreement for the Purchase of Real Estate" for the purchase of a partial acquisition of Block 22, Lot 24 of approximately 19.753 acres of vacant land out of a total of 27.90 acres,

exclusive of the two (2) story single family dwelling, a total acquisition of Block 22, Lot 25.03 of approximately 12.917 acres of vacant land, in an amount not to exceed \$273,456.00, and to expend money from the Township Open Space Trust Fund for a portion of the purchase price, professional fees and due diligence purposes.

3. The Township Administrator, Clerk and Attorney are hereby directed to take all action required to satisfy the contingencies contained in the Contract.
4. The Township Administrator, Clerk and Attorney are hereby directed to allocate all or a portion of the purchase price from the County of Hunterdon Open Space Trust Fund and Green Acres Program, and to take all action necessary for the Township to receive reimbursement from the Funding Sources.
5. There is hereby authorized an appropriation in an amount not to exceed \$273,456.00 for the acquisition of the Property described in this Ordinance to be received from the Funding Sources. The Township Chief Financial Officer shall, prior to the effective date of this Ordinance, file with the Township Clerk a statement certifying that sufficient funds are available to make this appropriation. The original certification shall be attached to the original of this Ordinance and shall be kept on file with the Township Clerk.
6. The Township Mayor, Administrator, Clerk and Attorney are hereby authorized to take any action necessary to transfer, convey, assign, if necessary, or restrict the Property as required by the County of Hunterdon Open Space Trust Fund and Green Acres Program regulations in order to receive full or partial reimbursement of the purchase price from the Funding Sources.
7. This Ordinance shall take effect upon its final passage and publication according to law.

**ATTEST:**

**TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF RARITAN**

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Lisa Fania, RMC  
Township Clerk

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Jeff Kuhl  
Mayor

## **NOTICE OF PENDING ORDINANCE**

**PLEASE TAKE NOTICE** that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey at a meeting held on February 4, 2020 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of February 18, 2020 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, N.J. at which time all interested persons will be heard. Copies of the ordinance can be obtained, without cost, by any member of the general public at the Municipal Clerk's office between the hours of 8:30 a.m. to 4:30 p.m.

TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #20-07

**AN ORDINANCE AUTHORIZING THE TOWNSHIP OF RARITAN TO PURCHASE BLOCK 65, LOT 6 FROM THE RARITAN TOWNSHIP FIRE COMPANY IN ORDER TO EFFECTUATE A SALE OF A PORTION THEREOF TO HABITAT FOR HUMANITY TO CONSTRUCT TWO AFFORDABLE HOUSING UNITS**

**WHEREAS**, the Raritan Township Fire Company (the "Fire Company") is the owner of a certain parcel of land designated as Block 65, Lot 6 in the Township of Raritan, Hunterdon County, State of New Jersey (hereinafter the "**Grantor Property**"); and

**WHEREAS**, the Fire Company has agreed to sell and convey to Raritan Valley Habitat for Humanity ("Habitat"), and Habitat has agreed to purchase from the Fire Company, a portion of the Grantor Property, which portion shall consist of approximately seven thousand one hundred and fifty-three (7,153) square feet and is located along Raritan Avenue in the Township (hereinafter called the "**Property**"); and

**WHEREAS**, the Grantor Property was granted to the Fire Company from the Township pursuant to that certain Quitclaim Deed, dated September 19, 2006 and recorded December 19, 2006 in Book 2173 at Page 284 in the Hunterdon County Clerk's Office (the "**Vesting Deed**"); and

**WHEREAS**, the Vesting Deed contains a transfer restriction in which the Grantor Property reverts back to the Township should the Fire Company convey or attempt to convey the Grantor Property to any other organization, entity or third person (the "**Transfer Restriction**"); and

**WHEREAS**, in order to effect the conveyance contemplated hereunder, the Grantor Property will revert back to the Township, and the Township will convey the Property to Habitat, with the remaining parcel to be conveyed back to the Fire Company, all subject to, and in accordance with, the terms and conditions set forth in that certain Agreement for the Purchase and Sale of Real Estate attached hereto (the "**P&S Agreement**"); and

**WHEREAS**, the Township desires to authorize the sale of the Property to Habitat pursuant to N.J.S.A. 40A:12-21(j); and

**WHEREAS**, the negotiations resulted in the P&S Agreement being negotiated and agreed to by counsel for the parties, subject to the approval and ratification of the Township Committee and the Fire Company; and

**WHEREAS**, the Township Committee has reviewed the P&S Agreement and wishes to authorize its execution by the Mayor and Township Clerk; and

**WHEREAS**, the Township Committee desires to authorize the Township Administrator, Clerk and Attorney to take all required action to satisfy all contingencies contained in the Contract; and to arrange to close within the time frames set forth in the P&S Agreement.

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

1. This Ordinance, upon final adoption, shall authorize the Township of Raritan (including its Township Attorney) to take all necessary actions to effectuate the ultimate transfer of the Property to Habitat for Humanity, with the remaining parcel being conveyed back to the Fire Company, subject to the same Transfer Restriction as is set forth in the Vesting Deed.
2. The Township of Raritan Mayor and Clerk are hereby directed and authorized to execute the P&S Agreement.
3. The Township Administrator, Clerk and Township Attorney are hereby directed to take all action required to satisfy the contingencies contained in the P&S Agreement.
4. This Ordinance shall take effect upon its final passage and publication according to law.

**ATTEST:**

**TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF RARITAN**

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Lisa Fania, RMC  
Township Clerk

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Jeff Kuhl  
Mayor

#### **NOTICE OF PENDING ORDINANCE**

**PLEASE TAKE NOTICE** that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey at a meeting held on February 4, 2020 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of February 18, 2020 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, N.J. at which time all interested persons will be heard. Copies of the ordinance can be obtained, without cost, by any member of the general public at the Municipal Clerk's office between the hours of 8:30 a.m. to 4:30 p.m.

Explanation: This Ordinance amends and updates the various affordable housing provisions in the Township Code pursuant to the conditions of approval of the Township’s settlement of its affordable housing litigation for compliance with its Third Round Mount Laurel affordable housing obligation.

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

**ORDINANCE #20-01**

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING VARIOUS CHAPTERS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN PURSUANT TO THE CONDITIONS OF APPROVAL OF THE TOWNSHIP’S SETTLEMENT OF ITS AFFORDABLE HOUSING LITIGATION**

**WHEREAS**, the Township of Raritan entered into a settlement agreement with Fair Share Housing Center (“FSHC”) to settle its Mount Laurel affordable housing declaratory judgment action titled In re Township of Raritan Compliance with Third Round Mount Laurel Affordable Housing Obligation, Docket No. HNT-L-312-15 (the “Raritan DJ Action”), which settlement agreement was approved by the Court by Order dated July 24, 2019, issued by the Honorable Thomas C. Miller, P.J. Civ.; and

**WHEREAS**, as a condition of approval, the Township is required to revise, update and amend its affordable housing ordinances to bring in compliance with current law, and to allow for the implementation of the terms of the settlement agreement.

**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.** Chapter 15.20 entitled “Affordable Housing” of Title 15 entitled "Buildings and Construction” of the *Revised General Ordinances of the Township of Raritan*, is hereby deleted in its entirety and replaced to read as follows:

**Chapter 15.20. Affordable Housing.**

**15.20.010. Intent, Purpose and Applicability.**

- A. This Ordinance is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability and that low- and moderate-income households shall occupy these units. This Ordinance is also intended to ensure that any site that benefits from a rezoning, variance or redevelopment plan approved by the Township that results in multi-family residential development of five (5) dwelling units or more produces affordable housing at a set-aside rate of 20% for for-sale affordable units and at a set-aside rate of 15% for rental affordable units. This Ordinance shall apply except where inconsistent with applicable law.

- B. The Township of Raritan Planning Board shall adopt a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. (hereinafter “Fair Share Plan”). The Fair Share Plan shall subsequently be endorsed by the governing body. The Fair Share Plan shall describe how Raritan Township shall address its fair share of low- and moderate-income housing as documented in the Fair Share Plan itself, the Settlement Agreement entered into between the Township and Fair Share Housing Center (“FSHC”) on June 14, 2019, last signed June 18, 2019 (hereinafter “FSHC Settlement Agreement”), and the Court Order approving same, which was entered by the Court on July 24, 2019 after a properly noticed Fairness Hearing.
- C. The Township of Raritan shall track the status of the implementation of the Fair Share Plan.

**15.20.020. Definitions.**

The following terms when used in this Ordinance shall have the meanings given in this Section:

“Accessory apartment” means a self-contained residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home, or through the conversion of an existing accessory structure on the same site, or by an addition to an existing home or accessory building, or by the construction of a new accessory structure on the same site.

“Act” means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.) as has been subsequently amended.

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

“Administrative agent” means the entity responsible for the administration of affordable units in accordance with this Ordinance, applicable COAH regulations and the Uniform Housing Affordability Controls (UHAC) (N.J.A.C. 5:80-26.1 et seq.)

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent within the means of a low- or moderate-income household as defined by COAH in its applicable regulations or an equivalent controlling New Jersey state agency; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable development” means a housing development, all or a portion of, which consists of restricted units.

“Affordable housing development” means a development included in the Township’s Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

“Affordable housing program(s)” means any mechanism in the Township’s Fair Share Plan prepared or implemented to address the Township’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act, credited pursuant to applicable COAH regulations, the FSHC Settlement Agreement, or an order of the Court.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Assisted living residence” means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“COAH” means the New Jersey Council on Affordable Housing.

“The Department” means the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use

or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. Inclusionary developments must have a twenty (20) percent set aside of affordable units if the development has five or more units and is a for-sale project, or a fifteen (15) percent set-aside if the development is a rental project. This term includes, but is not necessarily limited to: new construction, the conversion of a non-residential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the median household income.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable county, as adopted annually by the Department.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor’s deed to a class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by the Department’s adopted Regional Income Limits published annually by the Department.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the median household income.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

#### **15.20.030. Affordable Housing Programs.**

The Township of Raritan will use the following mechanisms to satisfy its affordable housing obligations:

##### **A. A Rehabilitation Program.**

1. The Township of Raritan and FSHC have agreed that the Township’s indigenous need rehabilitation obligation is sixteen (16) units. The Township shall continue to sponsor a local rehabilitation program sufficient to satisfy its present need obligation of sixteen (16) units. The Township shall establish a rehabilitation program manual. In the event the Township satisfies its rehabilitation obligation, it will continue to implement its rehabilitation program, and any additional units that are rehabilitated may be credited towards any future affordable housing obligations, if permitted by applicable law and regulations. The Township will continue its rehabilitation program to update and renovate deficient housing units occupied by low- and moderate-income households such that, after rehabilitation, these units will comply with the New Jersey State Housing Code pursuant to N.J.A.C. 5:28. The Township will continue to rehabilitate housing units to improve its housing stock and to continue to provide indigenous need affordable units.
2. All rehabilitated rental and owner-occupied units shall remain affordable to low- and moderate-income households for a period of 10 years (the control period). For owner-occupied units, the control period will be enforced with a lien and for renter occupied units the control period will be enforced with a deed restriction.
3. The Township of Raritan shall dedicate an average of \$10,000 for each unit to be rehabilitated through this program, reflecting the minimum hard cost of rehabilitation for each unit.

4. The Township of Raritan will continue to administer the Rehabilitation Program in accordance with N.J.A.C. 5:93, et. seq.
5. Units in a Rehabilitation Program shall be exempt from N.J.A.C. 5:93-9 and UHAC requirements, but shall be administered in accordance with the following:
  - a. If a unit is vacant, upon initial rental subsequent to rehabilitation, or if a renter-occupied unit is re-rented prior to the end of controls on affordability, the deed restriction shall require the unit to be rented to a low- or moderate-income household at an affordable rent and affirmatively marketed pursuant to N.J.A.C. 5:93-9 and UHAC.
  - b. If a unit is renter-occupied, upon completion of the rehabilitation, the maximum rate of rent shall be the lesser of the current rent or the maximum permitted rent pursuant to N.J.A.C. 5:93-9 and UHAC.
  - c. Rents in rehabilitated units may increase annually based on the standards in N.J.A.C. 5:93-9 or the standards issued by a New Jersey administrative agency with proper authority to issue such standards.
  - d. Applicant and/or tenant households shall be certified as income-eligible in accordance with N.J.A.C. 5:93-9 and UHAC, except that households in owner occupied units shall be exempt from the regional asset limit.

B. Percentage of Mandatory Set-Asides for All Future Residential Developments.

If the Township or a Township Planning Board or Zoning Board of Adjustment permits the construction of multi-family or single-family attached residential development that is “approvable” and “developable,” as defined at N.J.A.C. 5:93-1.3, the Township or the Township’s Planning Board or Zoning Board of Adjustment shall require that an appropriate percentage of the residential units be set aside for low and moderate income households. This requirement shall apply beginning with the effective date of this Ordinance to any multi-family or single-family attached residential development, including the residential portion of a mixed-use project, which consists of five (5) or more new residential units, whether permitted by a zoning amendment, a variance granted by the Township’s Planning Board or Zoning Board of Adjustment, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation. For any such development for which the Township’s land use ordinances (e.g. zoning or an adopted Redevelopment Plan) already permitted residential development as of the effective date of this Ordinance, this requirement shall only apply if the Township or the Township’s Zoning Board of Adjustment permits an increase in approvable and developable gross residential density to at least twice the permitted approvable and developable gross residential density as of the effective date of this Ordinance. Nothing in this paragraph precludes the Township or the Township’s Zoning Board of Adjustment from imposing an affordable housing set-aside in a development not required to have a set-aside pursuant to this paragraph consistent with N.J.S.A. 52:27D-311(h) and other applicable law. For inclusionary projects in which the low and moderate units are to be offered for sale, the appropriate set-aside percentage is 20 percent; for projects in which the low- and moderate-income units are to be offered for rent, the appropriate

set-aside percentage is 15 percent. This requirement does not create any entitlement for a property owner or applicant for a zoning amendment, variance, or adoption of a Redevelopment Plan or amended Redevelopment Plan in areas in need of redevelopment or rehabilitation, or for approval of any particular proposed project. This requirement does not apply to any sites or specific zones otherwise identified in the Township's Settlement Agreement with FSHC dated June 14, 2019, or in the Township's Housing Element and Fair Share Plan, for which density and set-aside standards shall be governed by the specific standards set forth therein.

Furthermore, this section shall not apply to developments containing four (4) or less dwelling units. All subdivision and site plan approvals of qualifying residential developments shall be conditioned upon compliance with the provisions of this section. Where a developer demolishes existing dwelling units and builds new dwelling units on the same site, the provisions of this section shall apply only if the net number of dwelling units is five (5) or more.

- C. Phasing. Inclusionary developments shall be subject to the following schedule, except where an alternate phasing schedule has been incorporated into a development or redevelopment agreement:

Minimum Percentage of Low- and Moderate-Income Units Completed	Maximum Percentage of Market-Rate Units Completed
0	25
10	25 + 1 Unit
50	50
75	75
100	90

- D. Fractional Units. If 15 or 20 percent of the total number of units in a development results in a fraction or decimal, the developer shall be required to provide an additional affordable unit on site.

*Example: an 8-unit development requiring an affordable housing set-aside of 1.6 units is proposed. The developer is required to provide two on-site affordable units.*

- E. Integration of Affordable Units. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market rate units.
- F. Utilities. Affordable units shall utilize the same type of heating source as market units within the affordable development.
- G. Common Elements and Facilities. In inclusionary development, low- and moderate-income units shall have access to all of the same common elements and facilities as the market units.
- H. Alternative Living Arrangements.
  - 1. The administration of an alternative living arrangement shall be in compliance with N.J.A.C. 5:93-5.8 and UHAC, with the following exceptions:

- a. Affirmative marketing (N.J.A.C. 5:80-26.15), provided, however, that the units or bedrooms may be affirmatively marketed by the provider in accordance with an alternative plan approved by the Court;
  - b. Affordability average and bedroom distribution (N.J.A.C. 5:80-26.3).
2. With the exception of units established with capital funding through a 20-year operating contract with the Department of Human Services, Division of Developmental Disabilities, alternative living arrangements shall have at least 30-year controls on affordability in accordance with UHAC, unless an alternative commitment is approved by the Court.
  3. The service provider for the alternative living arrangement shall act as the Administrative Agent for the purposes of administering the affirmative marketing and affordability requirements for the alternative living arrangement.

**15.20.040. New Construction.**

The following general guidelines apply to all newly constructed developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

- A. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:
  1. The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units the extra unit shall be a low-income unit.
  2. In each affordable development, at least fifty (50%) percent of the restricted units within each bedroom distribution shall be low-income units. If there is only one affordable unit it must be a low-income unit.
  3. Thirteen (13%) percent of all affordable units in the Township, with the exception of units constructed as of July 1, 2008, and units subject to preliminary or final site plan approval as of July 1, 2008, shall be designated as very-low income households at 30% of the median income, with at least fifty (50%) percent of all very-low income units being available to families. Very-low income units shall be considered low-income units for the purposes of evaluating compliance with the required low/moderate income unit splits, bedroom distribution, and phasing requirements of this ordinance.
  4. Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
    - a. The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
    - b. At least 20 percent of all low- and moderate-income units shall be three-bedroom units;

- c. At least 30 percent of all low- and moderate-income units shall be two-bedroom units;
  - d. The remaining units may be allocated among two- and three-bedroom units at the discretion of the developer.
5. Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

B. Accessibility Requirements:

- 1. The first floor of all restricted townhouse dwelling units and all restricted units in all other multi-story buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.
- 2. All restricted townhouse dwelling units and all restricted units in other multi-story buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
  - a. An adaptable toilet and bathing facility on the first floor;
  - b. An adaptable kitchen on the first floor;
  - c. An interior accessible route of travel on the first floor;
  - d. An interior accessible route of travel shall not be required between stories within an individual unit;
  - e. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor;
  - f. An accessible entranceway as set forth at P.L. 2005, c. 350 (N.J.S.A. 52:27D-311a et seq.) and the Barrier Free Subcode, N.J.A.C. 5:23-7, or evidence that the Township of Raritan has collected funds from the developer sufficient to make ten (10%) percent of the adaptable entrances in the development accessible:
    - i. Where a unit has been constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed.
    - ii. To this end, the builder of restricted units shall deposit funds within the Township's Affordable Housing Trust Fund sufficient to install accessible entrances in ten (10%) percent of the affordable units that have been constructed with adaptable entrances.

- iii. The funds deposited under paragraph b. above shall be used by the Township of Raritan for the sole purpose of making the adaptable entrance of any affordable unit accessible when requested to do so by a person with a disability who occupies or intends to occupy the unit and requires an accessible entrance.
- iv. The developer of the restricted units shall submit a design plan and cost estimate for the conversion from adaptable to accessible entrances to the Construction Official of the Township.
- v. Once the Construction Official has determined that the design plan to convert the unit entrances from adaptable to accessible meet the requirements of the Barrier Free Subcode, N.J.A.C. 5:23-7, and that the cost estimate of such conversion is reasonable, payment shall be made to the Township's Affordable Housing Trust Fund and appropriately earmarked.
- vi. Full compliance with the foregoing provisions shall not be required where an entity can demonstrate that it is site impracticable to meet the requirements. Determinations of site impracticability shall be in compliance with the Barrier Free Subcode, N.J.A.C. 5:23-7.

C. Maximum Rents and Sales Prices

1. In establishing rents and sales prices of affordable housing units, the Administrative Agent shall follow the procedures set forth in UHAC utilizing the regional income limits published by HUD which includes the regional weighted average of uncapped Section 8 income limits and using calculation procedures approved by the Court. Income limits for all units that are part of the Township's Housing Element and Fair Share Plan and for which income limits are not already established through a federal program exempted from the UHAC pursuant to N.J.A.C. 5:80-26.1, shall be updated by the Township annually within 30 days of the publication of determinations of median income by the Department of Housing and Urban Development ("HUD") as follows:
  - a. Regional income limits shall be established for the region that the Township is located within based on the median income by household size, which shall be established by a regional weighted average of the uncapped Section 8 income limits published by HUD. To compute this regional income limit, the HUD determination of median county income for a family of four is multiplied by the estimated households within the county according to the most recent decennial Census. The resulting product for each county within the housing region is summed. The sum is divided by the estimated total households from the most recent decennial Census in the Township's housing region. This quotient

represents the regional weighted average of median income for a household of four. The income limit for a moderate-income unit for a household of four shall be 80 percent of the regional weighted average median income for a family of four. The income limit for a low-income unit for a household of four shall be 50 percent of the HUD determination of the regional weighted average median income for a family of four. The income limit for a very low-income unit for a household of four shall be 30 percent of the regional weighted average median income for a family of four. These income limits shall be adjusted by household size based on multipliers used by HUD to adjust median income by household size. In no event shall the income limits be less than those for the previous year.

- b. The income limits are the result of applying the percentages set forth in paragraph (1) above to HUD's determination of median income for the fiscal year 2019, and shall be utilized until the Township updates the income limits after HUD has published revised determinations of median income for the next fiscal year.
- c. The Regional Asset Limit used in determining an applicant's eligibility for affordable housing pursuant to N.J.A.C. 5:80-26.16(b)(3) shall be calculated by the Township annually by taking the percentage increase of the income limits calculated pursuant to paragraph (1) above over the previous year's income limits, and applying the same percentage increase to the Regional Asset Limit from the prior year. In no event shall the Regional Asset Limit be less than that for the previous year.
- d. In establishing sale prices and rents of affordable housing units, the Township's administrative agent shall follow the procedures set forth in UHAC, utilizing the regional income limits established pursuant to the process defined above:
  - i. The resale prices of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region determined pursuant to the above methodology. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
  - ii. The rent levels of very-low-, low- and moderate-income units may be increased annually based on

the percentage increase in the Housing Consumer Price Index for the Northeast Urban Area, upon its publication for the prior calendar year. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low income housing tax credit regulations shall be indexed pursuant to the regulations governing low income housing tax credits.

2. The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than fifty-two (52%) percent of median income.
3. The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units.
  - a. At least thirteen (13%) percent of all low- and moderate-income dwelling units shall be affordable to households earning no more than thirty (30%) percent of median income.
4. The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of fifty five (55%) percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type.
5. In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:
  - a. A studio shall be affordable to a one-person household;
  - b. A one-bedroom unit shall be affordable to a one- and one-half person household;
  - c. A two-bedroom unit shall be affordable to a three-person household;
  - d. A three-bedroom unit shall be affordable to a four and one-half person household;
  - e. A four-bedroom unit shall be affordable to a six-person household.

6. In determining the initial rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:
  - a. A studio shall be affordable to a one-person household;
  - b. A one-bedroom unit shall be affordable to a one- and one-half person household;
  - c. A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
7. The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to ninety five (95%) percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed twenty eight (28%) percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
8. The initial rent for a restricted rental unit shall be calculated so as not to exceed thirty (30%) percent of the eligible monthly income of the appropriate household size as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
9. The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
10. The rent of very low-, low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rents for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.
11. Utilities. Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.

**15.20.050. Affirmative Marketing Requirements.**

- A. The Township of Raritan shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Court, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented. The initial Affirmative Marketing Plan shall include the following community and regional organizations: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, Supportive Housing Association, NORWESCAP, and the Central Jersey Housing Resource Center.
- B. The Affirmative Marketing Plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The Affirmative Marketing Plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward Housing Region 4 and covers the period of deed restriction.
- C. The Affirmative Marketing Plan shall provide a regional preference for all households that live and/or work in Housing Region 4.
- D. The municipality has the ultimate responsibility for adopting the Affirmative Marketing Plan and for the proper administration of the Affirmative Marketing Program, including initial sales and rentals and resales and re-rentals.
- E. The Administrative Agent designated by the Township of Raritan shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.
- F. In implementing the Affirmative Marketing Plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- G. The Affirmative Marketing Plan shall describe the media to be used in advertising and publicizing the availability of housing. In implementing the Affirmative Marketing Plan, the Administrative Agent shall consider the use of language translations where appropriate.
- H. The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
- I. Applications for affordable housing shall be available in several locations, including, at a minimum, the County Administration Building and/or the County Library for each county within the housing region; the municipal administration building and the municipal library in the municipality in which the units are located; and the developer's rental office. Applications shall be mailed to prospective applicants upon request.

In addition to other affirmative marketing strategies, the Administrative Agent shall provide specific notice of the availability of affordable housing units in the Township of Raritan, and copies of the application forms, to the following entities: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, Supportive Housing Association, NORWESCAP, and the Central Jersey Housing Resource Center.

- J. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by the Township.

**15.20.060. Occupancy Standards.**

- A. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
  - 1. Provide an occupant for each bedroom;
  - 2. Provide children of different sex with separate bedrooms;
  - 3. Provide separate bedrooms for parents and children; and
  - 4. Prevent more than two persons from occupying a single bedroom.
- B. Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.

**15.20.070. Control Periods for Restricted Ownership Units and Enforcement Mechanisms.**

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance until the Township of Raritan elects to release the unit from such requirements, however, and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- B. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- C. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the Administrative Agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.
- D. At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this Ordinance, an amount equal to

the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.

- E. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- F. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

**15.20.080. Price Restrictions for Restricted Ownership Units, Homeowner Associations Fees and Resale Prices.**

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- A. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- B. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- C. The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners. The master deeds shall also not contain any distinction between the condominium or homeowner association fees and special assessments paid by low- and moderate-income purchasers and those paid by market purchases.
- D. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

**15.20.090. Buyer Income Eligibility.**

- A. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than eighty (80%) percent of median income. Very low-income units shall be reserved for households with a gross household income of less than thirty (30%) percent of median income.
- B. Notwithstanding the foregoing, the Administrative Agent may, upon approval by the Township Committee, and subject to the Court's approval, permit a moderate-income purchaser to buy a low-income unit, if and only if, the Administrative Agent can

demonstrate that there is an insufficient number of eligible low-income purchasers in the housing region to permit prompt occupancy of the unit and all other reasonable efforts to attract a low income purchaser, including pricing and financing incentives, have failed. Any such low-income unit that is sold to a moderate-income household shall retain the required pricing and pricing restrictions for a low-income unit.

- C. A certified household that purchases a restricted ownership unit must occupy it as the certified household's principal residence and shall not lease the unit; provided, however, that the Administrative Agent may permit the owner of a restricted ownership unit, upon application and a showing of hardship, to lease the restricted unit to another certified household for a period not to exceed one year. Violations of this provision shall be subject to the applicable enforcement provisions of Section 15.20.150 of this Ordinance.
- D. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed thirty three (33%) percent of the household's certified monthly income.

**15.20.100. Limitations on Indebtedness Secured by Ownership Unit; Subordination.**

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the Administrative Agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- B. With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed ninety five (95%) percent of the maximum allowable resale price of that unit, as such price is determined by the Administrative Agent in accordance with N.J.A.C.5:80-26.6(b).

**15.20.105 Capital Improvements to Ownership Units**

- A. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements made since the purchase of the unit. Eligible capital improvements shall be those that render the unit suitable for a larger household or that add an additional bathroom. In no event shall the maximum sales price of an improved housing unit exceed the limits of affordability for the larger household.
- B. Upon the resale of a restricted ownership unit, all items of property that are permanently affixed to the unit or were included when the unit was initially restricted (for example, refrigerator, range, washer, dryer, dishwasher, wall-to-wall carpeting) shall be included in the maximum allowable resale price. Other items may be sold to the purchaser at a reasonable price that has been approved by the Administrative Agent at the time of the signing of the agreement to purchase. The purchase of central air conditioning installed subsequent to the initial sale of the unit and not included in the base price may be made a

condition of the unit resale provided the price, which shall be subject to 10-year, straight-line depreciation, has been approved by the Administrative Agent. Unless otherwise approved by the Administrative Agent, the purchase of any property other than central air conditioning shall not be made a condition of the unit resale. The owner and the purchaser must personally certify at the time of closing that no unapproved transfer of funds for the purpose of selling and receiving property has taken place at the time of or as a condition of resale.

**15.20.110. Control Periods for Restricted Rental Units.**

- A. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance until the Township of Raritan elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1, et. al, as may be amended and supplemented, and prior to such an election, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, et al as may be amended and supplemented, for at least 30 years.
- B. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Hunterdon. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- C. A restricted rental unit shall remain subject to the affordability controls of this Ordinance, despite the occurrence of any of the following events:
  - 1. Sublease or assignment of the lease of the unit;
  - 2. Sale or other voluntary transfer of the ownership of the unit; or
  - 3. The entry and enforcement of any judgment of foreclosure.

**15.20.120. Price Restrictions for Rental Units; Leases.**

- A. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- C. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

- D. No rent control ordinance or other pricing restriction shall be applicable to either the market units or the affordable units in any development in which at least 15% of the total number of dwelling units are restricted rental units in compliance with this Ordinance.

**15.20.130. Tenant Income Eligibility.**

- A. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
1. Very low-income rental units shall be reserved for households with a gross household income less than or equal to thirty (30%) percent of median income.
  2. Low-income rental units shall be reserved for households with a gross household income less than or equal to fifty (50%) percent of median income.
  3. Moderate-income rental units shall be reserved for households with a gross household income less than eighty (80%) percent of median income.
- B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed thirty five (35%) percent (forty (40%) percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
1. The household currently pays more than thirty-five (35%) percent (forty (40%) percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
  2. The household has consistently paid more than thirty-five (35%) percent (forty (40%) percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
  3. The household is currently in substandard or overcrowded living conditions;
  4. The household documents the existence of assets with which the household proposes to supplement the rent payments; or
  5. The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of the circumstances in (b) 1 through 5 above with the Administrative Agent, who shall counsel the household on budgeting.

**15.20.140. Administration.**

- A. The position of Municipal Housing Liaison (MHL) for the Township of Raritan is established by this Ordinance. The Township shall make the actual appointment of the MHL by means of a resolution.
1. The MHL must be either a full-time or part-time employee of the Township of Raritan.
  2. The person appointed as the MHL must be reported to the Court and thereafter posted on the Township's website.
  3. The MHL must meet all the requirements for qualifications, including initial and periodic training, if such training is made available by COAH or the DCA.
  4. The MHL shall be responsible for oversight and administration of the affordable housing program for the Township of Raritan, including the following responsibilities which may not be contracted out to the Administrative Agent:
    - a. Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
    - b. The implementation of the Affirmative Marketing Plan and affordability controls.
    - c. When applicable, supervising any contracting Administrative Agent.
    - d. Monitoring the status of all restricted units in the Township's Fair Share Plan;
    - e. Compiling, verifying and submitting annual reports as required;
    - f. Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
    - g. Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by the Affordable Housing Professionals of New Jersey (AHPNJ), if such continuing education opportunities are made available by COAH or the DCA.
- B. The Township of Raritan shall designate by resolution of the Township Committee, subject to the approval of the Court, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:93 and UHAC.
- C. An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body. The Operating Manual shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
- D. The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, and shall have authority to take all actions necessary and appropriate to carry out its responsibilities, which includes:

1. Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Affordable Housing Professionals of New Jersey (AHPNJ);
2. Affirmative Marketing:
  - a. Conducting an outreach process to affirmatively market affordable housing units in accordance with the Affirmative Marketing Plan of the Township of Raritan and the provisions of N.J.A.C. 5:80-26.15; and
  - b. Providing counseling or contracting to provide counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
3. Household Certification:
  - a. Soliciting, scheduling, conducting and following up on interviews with interested households;
  - b. Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
  - c. Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
  - d. Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et seq.;
  - e. Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located;
  - f. Employing a random selection process as provided in the Affirmative Marketing Plan of the Township of Raritan when referring households for certification to affordable units; and
  - g. Notifying the following entities of the availability of affordable housing units in the Township of Raritan: Fair Share Housing Center, the New Jersey State Conference of the NAACP, the Latino Action Network, the Supportive Housing Association, and the Central Jersey Housing Resource Center.
4. Affordability Controls:
  - a. Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;

- b. Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
  - c. Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the Hunterdon County Register of Deeds or Hunterdon County Clerk's office after the termination of the affordability controls for each restricted unit;
  - d. Communicating with lenders regarding foreclosures; and
  - e. Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
5. Resale and re-rental:
- a. Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or re-rental;
  - b. Instituting and maintaining an effective means of communicating information to low- (or very low-) and moderate-income households regarding the availability of restricted units for resale or re-rental.
6. Records retention;
7. Processing requests from unit owners;
- a. Reviewing and approving requests for determination from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership that the amount of indebtedness to be incurred will not violate the terms of this Ordinance;
  - b. Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the depreciated cost of central air conditioning systems;
  - c. Notifying the municipality of an owner's intent to sell a restricted unit;
  - d. Making determinations on requests by owners of restricted units for hardship waivers.
8. Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.
- a. Securing annually from the municipality a list of all affordable housing units for which tax bills are mailed to absentee owners, and notifying all such owners that they must either move back to their unit or sell it;

- b. Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;
- c. Posting annually, in all rental properties (including two-family homes), a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent or other charges can be made;
- d. Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
- e. Establishing a program for diverting unlawful rent payments to the municipality's Affordable Housing Trust Fund;
- f. Creating and publishing a written operating manual for each affordable housing program administered by the Administrative Agent, to be approved by the Township Committee and the Court, setting forth procedures for administering the affordability controls.

9. Additional Responsibilities:

- a. The Administrative Agent shall have the authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.
- b. The Administrative Agent shall prepare monitoring reports for submission to the Municipal Housing Liaison in time to meet the Court-approved monitoring and reporting requirements in accordance with the deadlines set forth in this Ordinance.
- c. The Administrative Agent shall attend continuing education sessions on affordability controls, compliance monitoring, and affirmative marketing at least annually and more often as needed.

**15.20.150. Enforcement of Affordable Housing Regulations.**

- A. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such violations, the municipality may take the following action against the Owner,

Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

1. The municipality may file a Court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the Court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the Court:
    - a. A fine of not more than \$10,000.00 or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
    - b. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Township of Raritan Affordable Housing Trust Fund of the gross amount of rent illegally collected;
    - c. In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the Court.
  3. The municipality may file a Court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.
- C. Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
- D. The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the Court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall automatically result in a forfeiture of such balance to the municipality. Any

interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

- E. Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- F. If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- G. Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- H. The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

**15.20.160. Annual and Periodic Monitoring of the Implementation of the Township's Affordable Housing Plan.**

A. Beginning one year after the entry of the Township's Round 3 Judgment of Compliance and Repose, the Township will provide annual reporting through July 1, 2025 of the status of all affordable housing activity and of its Affordable Housing Trust Fund activity within the Township through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center, using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the Special Master and Fair Share Housing Center. In addition to the foregoing, the Township may also post such activity on the Council on Affordable Housing Tracking and Monitoring (CTM) System and/or file a copy of its report with COAH or its successor agency at the State level. The reporting shall include an accounting of all Affordable Housing Trust Fund activity, including the source and amount of funds collected and the amount and purpose for which any funds have been expended.

B. The Fair Housing Act includes two provisions regarding action to be taken by the Township during its ten-year repose period. The Township will comply with those provisions as follows:

1. For the midpoint realistic opportunity review due on July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Township will post on its municipal website, with a copy provided to Fair Share Housing Center, a status report as to its implementation of its Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether the mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the Township, with a copy to Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether the mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the Court regarding these issues.
2. For the review of very low income housing requirements required by N.J.S.A. 52:27D-329.1, within 30 days of the third anniversary of the entry of the Township's Judgement of Compliance and Repose, and every third year thereafter, the Township will post on its municipal website, with a copy provided to Fair Share Housing Center, a status report as to its satisfaction of its very low income requirements, including the family very low income requirements referenced herein. Such posting shall invite any interested party to submit comments to the Township and Fair Share Housing Center on the issue of whether the Township has complied with its very low-income housing obligation under the terms of this settlement.
3. In addition to the foregoing postings, the Township may also elect to file copies of its reports with COAH or its successor agency at the State level.

#### **15.20.170. Appeals.**

Appeals from all decisions of an Administrative Agent designated pursuant to this Ordinance shall be filed with the Superior Court of New Jersey, Hunterdon County.

**Section 2.** Chapter 16.11 entitled "Growth Share Affordable Housing Production" of Title 16 entitled "Land Development Code" of the *Revised General Ordinances of the Township of Raritan*, is hereby deleted in its entirety and replaced to read as follows: [Added text **bold and underlined.**]

#### **Chapter 16.11. Reserved.**

**Section 3.** If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared severable.

**Section 4.** All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Raritan, the provisions hereof shall be determined to govern. All other parts, portions and provisions of the *Revised General Ordinances of the Township of Raritan* are hereby ratified and confirmed, except where inconsistent with the terms hereof.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

---

Lisa Fania RMC  
Township Clerk

---

Jeff Kuhl  
Mayor

**NOTICE OF PENDING ORDINANCE**

**PLEASE TAKE NOTICE** that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey at a meeting held on January 21, 2020 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of February 4, 2020 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, N.J. at which time all interested persons will be heard. Copies of the ordinance can be obtained, without cost, by any member of the general public at the Municipal Clerk's office between the hours of 8:30 a.m. to 4:30 p.m.

**EXPLANATION:** This Ordinance authorizes the Township of Raritan to accept a stormwater management maintenance easement from Macedo Industrial Park IV, LLP and a conservation easement from Rendale's LLC and Macedo Industrial Park IV, LLP.

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

**ORDINANCE #20-02**

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF A STORMWATER  
MANAGEMENT MAINTENANCE EASEMENT FOR BLOCK 16, LOT  
16.11 OF THE TAX MAP OF THE TOWNSHIP OF RARITAN FROM  
MACEDO INDUSTRIAL PARK IV, LLP AND A CONSERVATION  
EASEMENT FOR BLOCK 16, LOTS 16.07, 16.08, 16.09, 16.11 & 67.01 OF  
THE TAX MAP OF THE TOWNSHIP OF RARITAN FROM RENDALE'S  
LLC AND MACEDO INDUSTRIAL PARK IV, LLP**

**WHEREAS**, the Township Committee of the Township of Raritan wishes to accept a stormwater management maintenance easement for Block 16, Lot 16.11 of the tax map of the Township of Raritan from Macedo Industrial Park IV, LLP ("Macedo") and a conservation easement for Block 16, Lots 16.07, 16.08, 16.09, 16.11 & 67.01 of the tax map of the Township of Raritan from Rendale's LLC ("Rendales") and Macedo; and

**WHEREAS**, Rendales and Macedos are hereafter referred to as "Grantors."

**WHEREAS**, these dedications are required by the Township of Raritan Planning Board memorializing resolution adopted on April 25, 2018; and

**WHEREAS**, the Township Attorney for the Township of Raritan reviewed the Deed of Easements in substantially the form attached and finds each acceptable.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that it hereby authorizes acceptance of the Conservation Easement attached hereto as Exhibit "A" and the Stormwater Management Maintenance Easement attached hereto as Exhibit "B" and directs its appropriate officials to execute and record same as may be necessary.

This Ordinance shall become effective according to law.

ATTEST:

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**NOTICE OF PENDING ORDINANCE**

**PLEASE TAKE NOTICE** that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey at a meeting held on January 21, 2020 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of February 4, 2020 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, N.J. at which time all interested persons will be heard. Copies of the ordinance can be obtained, without cost, by any member of the general public at the Municipal Clerk's office between the hours of 8:30 a.m. to 4:30 p.m.

TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #20-03

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON,  
NEW JERSEY, AMENDING TITLE 3 ENTITLED "REVENUE AND FINANCE" OF THE  
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN TO INCLUDE  
CERTAIN FEE EXEMPTIONS FOR COMMUNITY EMERGENCY RESPONSE TEAM  
VOLUNTEERS**

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

**Section 1** Paragraph B of Section 3.16.010 entitled "Intent" of Chapter 3.16 entitled "Fee Exemptions for Active Police, Fire and Rescue Members" of Title 3 entitled "Revenue and Finance" of *The Revised General Ordinances of the Township of Raritan* is hereby amended to read as follows:

For purposes of this Chapter, the following terms shall have the following meanings:

1. "Exempt Resident of Raritan Township" shall mean a person whose primary place of residence is located within Raritan Township and who, through use of documentation can demonstrate that he or she is (i) an active voluntary member in the Raritan Township Fire Company, the Flemington-Raritan First Aid and Rescue Squad, or the Flemington Borough Fire Department, or a member of the Raritan Township Community Emergency Response Team ("CERT"), as demonstrated through an identification card or other form of documentation, or (ii) a member of the Raritan Township Police Department as demonstrated through an identification card or other form of documentation, or (iii) a United States Veteran as defined by this Section.

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

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

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

**ATTEST:**

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Lisa Fania RMC  
Township Clerk

---

Jeff Kuhl  
Mayor

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Notice to Codifier: ~~striketrough~~ denotes a deletion to original text; underlined language denotes new text.

**NOTICE OF PENDING ORDINANCE**

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TOWNSHIP OF RARITAN  
HUNTERDON COUNTY, NEW JERSEY

ORDINANCE #20-04

CALENDAR YEAR 2020  
ORDINANCE TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45:14)

**WHEREAS**, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 *et. seq.*, provides that in the preparation of its annual budget, a municipality shall limit any increase in said final budget appropriations to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations; and

**WHEREAS**, a municipality may, by ordinance, bank the difference between its final budget appropriations and the 3.5% increase authorized by this ordinance when said difference is not appropriated as part of the final budget; and

**WHEREAS**, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby determines that this difference in the amount of \$549,220.22 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Township of Raritan shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$549,220.22, and that the CY 2020 municipal budget for the Township of Raritan be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriations in either of the next two succeeding years; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance, upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ATTEST:

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**NOTICE OF PENDING ORDINANCE**

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**DATE INTRODUCED:** January 21, 2020

**DATE ADOPTED:**

**ROLL CALL VOTE:**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

**EXPLANATION:** This Ordinance authorizes the Township of Raritan to accept a Sight Triangle Easement from the Center for Educational Advancement.

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

**ORDINANCE #20-05**

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF A SIGHT TRIANGLE EASEMENT FOR BLOCK 16, LOT 66 OF THE TAX MAP OF THE TOWNSHIP OF RARITAN FROM CENTER FOR EDUCATIONAL ADVANCEMENT**

**WHEREAS,** the Township Committee of the Township of Raritan wishes to accept a sight triangle easement for Block 16, Lot 66 of the Tax Map of the Township of Raritan from the Center for Educational Advancement (“Grantor”); and

**WHEREAS,** these dedications are required by the Township of Raritan Planning Board of Adjustment approval Resolution No. 2019-19, B.O.A. of Application No. 2019-02 which permits the use of building #2 as a microbrewery and related improvements; and

**WHEREAS,** said approval requires that Grantor grant a sight triangle easement to the Township of Raritan; and

**WHEREAS,** the Township Attorney for the Township of Raritan reviewed the Deed of Easement in substantially the form attached and finds each acceptable.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that it hereby authorizes acceptance of the Deed of Easement attached hereto as Exhibit “A” and directs its appropriate officials to execute and record same as may be necessary.

This Ordinance shall become effective according to law.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

## NOTICE OF PENDING ORDINANCE

**PLEASE TAKE NOTICE** that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey at a meeting held on January 21, 2020 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of February 4, 2020 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, N.J. at which time all interested persons will be heard. Copies of the ordinance can be obtained, without cost, by any member of the general public at the Municipal Clerk's office between the hours of 8:30 a.m. to 4:30 p.m.

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING  
RARITAN TOWNSHIP MUNICIPAL BUILDING  
TUESDAY, JANUARY 21, 2020**

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**MEETING CALLED:** Mayor Kuhl called the regular meeting to order at 6:40 p.m.

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

**ABSENT:** None

**ALSO PRESENT:** Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Police Chief, Al Payne; Township Attorney, Jeff Lehrer

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**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 13, 2020 issue of the Courier News and noticed to the Hunterdon County Democrat, Star Ledger, Express Times, NJ.com and posted on the municipal bulletin board and the Township website.

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Attorney, Jeff Lehrer, read Resolution #20-27 in full.

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

Motion by Gilbert, seconded by MacDade

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #20-27**

**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: Bowlby Right-of-Way; Hampton Corner Road; Shared Services
- b) Personnel: Chief of Police Contract Amendment; New Patrol Officer; Wildlife Management Advisory Committee
- c) Attorney-Client Privilege:
- d) Pending Litigation: Lustgarten v. Township of Raritan Police Department

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.

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

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The regular meeting reconvened at 7:02 p.m.

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

---

**AMEND/APPROVE THE AGENDA**

Mayor Kuhl asked for a motion to approve the Agenda.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

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**PRESENTATION – HUNTERDON COUNTY FIRE CHIEFS ASSOCIATION  
AWARD TO PATROL OFFICERS BRETT SZATKOWSKI,  
ROBERT SCHENCK AND ADAM SWIATEK**

Marc Strauss, past president and member of the Hunterdon County Fire Chiefs Association, presented plaques on behalf of the Chiefs Association to Raritan Township Police Officers Brett Szatkowski, Robert Schenck and Adam Swiatek in recognition of their exemplary service to the community which resulted in the saving of a life from a structure fire on January 22, 2019. Mr. Strauss provided background on the Association and highlighted the heroic efforts of the officers.

Committee Members commended the officers for their outstanding bravery and service as well as the entire Police Department for their sacrifices in keeping the community safe.

---

Mayor Kuhl read Resolution #20-28 by title.

Mayor Kuhl asked for a motion to adopt Resolution #20-28.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION # 20-28**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF  
PAIGE MONTILLO AS PROBATIONARY PATROL OFFICER**

**WHEREAS**, the Mayor and Township Committee of the Township of Raritan are desirous of filling a vacancy within the Raritan Township Police Department; and

**WHEREAS**, after interviews and review of applicants, Chief of Police, Alfred Payne, recommends that Paige Montillo be appointed as a Probationary Patrol Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the following officer is hereby appointed:

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Mayor Kuhl administered the Oath of Office to Patrol Officer Paige Montillo.

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**PUBLIC HEARING - Lentini Auto Salvage Yard Annual License Renewal**

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

Motion by Reiner, seconded by Hazard

**MOTION UNANIMOUSLY CARRIED**

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing.

Motion by Gilbert, seconded by MacDade

**MOTION UNANIMOUSLY CARRIED**

---

Mayor Kuhl read Resolution #20-29 by title.

Motion by Hazard, seconded by Gilbert

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #20-29**

**A RESOLUTION AUTHORIZING THE RENEWAL OF A 2020 JUNKYARD LICENSE TO LENTINI AUTO SALVAGE, INC.**

**WHEREAS**, Darryl L. Carman, President, Lentini Auto Salvage, Inc., has made application for renewal of a Junk Yard License for 2020; and

**WHEREAS**, the renewal fee of \$25.00 has been paid; and

**WHEREAS**, Mr. Carman advertised in the Courier News on January 10, 2020 and January 13, 2020 advising of his intent to seek renewal of said license and provided the Township Clerk with an Affidavit of Publication; and

**WHEREAS**, the Township Clerk of the Township of Raritan has received no objections to said renewal of the license.

**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 renewal of the Junk Yard License for Darryl L. Carman, President, Lentini Auto Salvage, Inc. located at 130 Highway 202, Ringoes, New Jersey is hereby approved effective February 1, 2020 through January 31, 2021.

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

The following members of the public spoke during public comment:

**Barbara Sachau**, a resident of 2 Glenway Drive, voiced opinion in opposition to the payment of the ANJEC membership fee as well as the fee for Animal Control Services. Ms. Sachau also commented on the rehabilitation of wildlife v. killing by the Police Department.

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## **FINANCIAL ISSUES**

Payment of Bills as listed for Raritan Township: **\$8,584,857.96**

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

### **ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

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## **REPORTS**

The following reports were acknowledged by the Committee:

\*Animal Control – December 2019

\*Court – December 2019

\*Planning/Engineering Escrow Accounts – December 2019

\*Tax Collector – December 2019

\*Public Works – snow Removal for December 18, 2019 and January 6, 2020

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## **LIAISON REPORTS**

There were no liaison reports as 2020 assignments were not yet determined.

At this time, however, Mayor Kuhl reported on a meeting of the Planning Board advising on the approval of an application by Chimney Rock for an overflow parking area for employees only.

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## UNFINISHED BUSINESS

**2020 Committee/Board and Professional Appointments** – Mayor Kuhl advised that the appointment of a Conflict Prosecutor is still to be determined. Mayor Kuhl continued that there were three resumes in the agenda packet for consideration for the Board of Health vacancy.

Committee Member Hazard motioned to recommend Thomas Camporeale, seconded by Committee Member Reiner.

### **ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

Mayor Kuhl explained that Amy Greene, a regular member of the Environmental Commission, requested to move to Alternate status due to personal reasons. Mayor Kuhl reminded Committee Members that appointments to the Environmental Commission are made by the Mayor with consent of the Township Committee and that the Mayor shall designate one of the members to serve as Chair. He recommended moving Ray Simonds, who is currently the Alternate #1 Member (expiring 12/31/2021), to Ms. Greene's term (expiring 12/31/2022) and Ms. Greene to Mr. Simonds Alternate #1 term. Mayor Kuhl also designated Ray Simonds as the Chair.

Regarding the Township Committee Member appointment to the Local Historians Committee, Mayor Kuhl advised that he is the Planning Board member and that Committee Member MacDade expressed interest in serving on this Committee.

Regarding the Township Committee Member appointments to the Open Space Advisory Committee, Deputy Mayor Gilbert and Committee Member Hazard expressed interest in serving.

Mayor Kuhl asked for a motion to approve the 2020 appointments to the Local Historians and Open Space Advisory Committees.

Motion by Gilbert, seconded by Reiner

### **ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

Discussion regarding appointments to the Wildlife Management Advisory Committee was tabled to a future meeting.

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## NEW BUSINESS

**Discussion of 2020 Township Committee liaison assignments to Boards, Committees and Commissions** – Discussion was held regarding the proposed 2020 liaison appointments as follows:

Karen Gilbert: Fire/Rescue/OEM; Open Space Advisory Committee; Planning Board  
(Deputy Mayor) (Class III Member)

Gary Hazard: Court; Open Space Advisory Committee; RTMUA

Jeff Kuhl: Finance; Historians; Personnel; Planning Board (Class I Member)  
(Mayor)

Scott MacDade: Board of Health; Environmental Commission; Historians

Louis Reiner: Agriculture Advisory Board; Finance

At this time, Deputy Mayor Gilbert requested that the Committee consider the necessity of the liaison role to the Police and Public Works departments, as no other department has a Township Committee liaison; the Police Department reports directly to the Administrator and monthly reports are provided directly by the Superintendent of Public Works. Deputy Mayor Gilbert also suggested consideration be given for a possible liaison to the Class III Officers in the schools. Committee Member Hazard expressed interest in serving as liaison to the Class III officers.

Mayor Kuhl asked for a motion to approve the 2020 liaison assignments including the elimination of a liaison role to the Police and Public Works departments.

Motion by Reiner, seconded by Hazard

### ROLL CALL:

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

It was the consensus of the committee to follow up with Chief Payne regarding a liaison to the Class III officers and carry discussion to a future meeting.

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## ORDINANCES (INTRODUCTION/FIRST READING)

Mayor Kuhl read by title Ordinance #20-01.

Mr. Lehrer explained that the proposed ordinance is required as part of the final judgment compliance process regarding the Township's affordable housing settlement. Mr. Lehrer clarified that the boiler-plate language of the ordinance is used by all municipalities; includes affirmative marketing conditions; and percentages/allocation of very low, low and moderate units. Mr. Lehrer advised that he and the court-appointed Special Master have reviewed for consistency.

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING VARIOUS CHAPTERS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN PURSUANT TO THE CONDITIONS OF APPROVAL OF THE TOWNSHIP'S SETTLEMENT OF ITS AFFORDABLE HOUSING LITIGATION**

Mayor Kuhl asked for a motion to introduce Ordinance #20-01 on first consideration.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for February 4, 2020.

---

Mayor Kuhl read by title Ordinance #20-02.

Mr. Lehrer explained that the proposed ordinance is part of the compliance process and accepts conservation and stormwater management easements.

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF A STORMWATER MANAGEMENT MAINTENANCE EASEMENT FOR BLOCK 16, LOT 16.11 OF THE TAX MAP OF THE TOWNSHIP OF RARITAN FROM MACEDO INDUSTRIAL PARK IV, LLP AND A CONSERVATION EASEMENT FOR BLOCK 16, LOTS 16.07, 16.08, 16.09, 16.11 & 67.01 OF THE TAX MAP OF THE TOWNSHIP OF RARITAN FROM RENDALE'S LLC AND MACEDO INDUSTRIAL PARK IV, LLP**

Mayor Kuhl asked for a motion to introduce Ordinance #20-02 on first consideration.

Motion by Gilbert, seconded by MacDade

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

Second reading and public hearing date scheduled for February 4, 2020.

---

Mayor Kuhl read by title Ordinance #20-03.

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING TITLE 3 ENTITLED "REVENUE AND FINANCE" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN TO INCLUDE CERTAIN FEE EXEMPTIONS FOR COMMUNITY EMERGENCY RESPONSE TEAM VOLUNTEERS**

Mayor Kuhl asked for a motion to introduce Ordinance #20-03 on first consideration.

Motion by Gilbert, seconded by MacDade

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

Second reading and public hearing date scheduled for February 4, 2020.

---

Mayor Kuhl read by title Ordinance #20-04.

**CALENDAR YEAR 2020  
ORDINANCE TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45:14)**

Mayor Kuhl asked for a motion to introduce Ordinance #20-04 on first consideration.

Motion by Reiner, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

Second reading and public hearing date scheduled for February 4, 2020.

---

Mayor Kuhl read by title Ordinance #20-05.

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF A SIGHT TRIANGLE EASEMENT FOR BLOCK 16, LOT 66 OF THE TAX MAP OF THE TOWNSHIP OF RARITAN FROM CENTER FOR EDUCATIONAL ADVANCEMENT**

Mayor Kuhl asked for a motion to introduce Ordinance #20-05 on first consideration.  
Motion by Gilbert, seconded by MacDade

**ROLL CALL VOTE:**

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

Second reading and public hearing date scheduled for February 4, 2020.

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

There were no ordinances.

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**CORRESPONDENCE**

There was no correspondence.

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**NON-CONSENT**

**Township Committee Regular Meeting Minutes**

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of December 17, 2019.  
Motion by Hazard, seconded by Reiner

**ROLL CALL VOTE:**

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

**Township Committee Executive Session Meeting Minutes**

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes of December 17, 2019.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**Township Committee Reorganization Meeting Minutes**

Mayor Kuhl asked for a motion to approve the Reorganization Meeting Minutes of January 3, 2020.

Motion by Gilbert, seconded by MacDade

**ROLL CALL VOTE:**

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

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Mayor Kuhl read Resolution #20-30 by title.

Mayor Kuhl asked for a motion to adopt Resolution #20-30.

Motion by Hazard, seconded by Gilbert .

**ROLL CALL VOTE:**

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

**RESOLUTION #20-30**

**A RESOLUTION AMENDING RESOLUTION #19-172 AUTHORIZING THE TOWNSHIP OF RARITAN THROUGH THE RARITAN TOWNSHIP POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE 1033 PROGRAM TO ENABLE THE RARITAN TOWNSHIP POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT**

**WHEREAS**, the United State Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies; and

**WHEREAS**, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting law enforcement agency; and

**WHEREAS**, participation in the 1033 Program allows municipal and county law enforcement agencies to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

**WHEREAS**, although property is provided through the 1033 Program at no cost to municipal and county law enforcement agencies, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

**WHEREAS**, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through the 1033 Program.

**WHEREAS**, Resolution #19-172 had authorized enrollment from July 16, 2019 to July 16, 2020; and

**WHEREAS**, the Defense Logistics Agency desires to have all contracts run on a calendar year basis.

**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 the Raritan Township Police Department is hereby authorized to enroll in the 1033 Program for a one-year period retroactively from January 1, 2020 to December 31, 2020.

**BE IT FURTHER RESOLVED** that the Raritan Township Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include: office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the DLA, if it shall become available in the next twelve months, based on the needs of the Raritan Township Police Department, without restriction; and

**BE IT FURTHER RESOLVED** that the Raritan Township Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes: specifically, controlled property items authorized for acquisition, Appendix "A" attached herewith; and

**BE IT FURTHER RESOLVED** that the Raritan Township Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property.

**BE IT FURTHER RESOLVED** that the Raritan Township Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect retroactively to January 1, 2020 and shall be valid to authorize requests to acquire "DEMIL A" and "DEMIL B through Q" property that may be made available through the 1033 Program until December 31, 2020.

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Mayor Kuhl read Resolution #20-31 by title.

Mayor Kuhl asked for a motion to adopt Resolution #20-31.

Motion by Reiner, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #20-31**

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

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

**WHEREAS**, the Township Committee has established a Personnel Policies and Procedures Manual (the "Manual") by Resolution #17-249; and

**WHEREAS**, the Township Committee at its sole discretion may amend and supplement the Manual at any time; and

**WHEREAS**, the State of New Jersey adopted a uniform Domestic Violence Policy for all Public Employers in accordance with N.J.S.A. 11A:2-6a; and

**WHEREAS**, the Administrator has recommended to the Township Committee that Section 5.8, Vacations be amended and that Appendix A-8, Domestic Violence Policy be added; and

**WHEREAS**, the Township Committee wishes to amend Section 5.8, Vacations and add Appendix A-8, Domestic Violence Policy.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Section 5.8, Vacations and Appendix A-8 Domestic Violence Policy, of the Township of Raritan Personnel Policies and Procedures Manual, be amended as follows and attached hereto:

**Section 5.8 Vacations**

Employees may carry over a maximum of one-half (1/2) of their annual vacation entitlement. Requests for carryover of vacation that exceeds one-half (1/2) of their annual vacation entitlement must be submitted to the Township Administrator for approval, by no later than December 15 of the current year. A form to request vacation carryover can be found in the Appendix. Employees must make every effort to use allotted vacation time and will only be allowed to carry over time because Township business prevented them from utilizing the entitlement in the current year.

**Appendix A-8 State of New Jersey Domestic Violence Policy – Attached as Exhibit A**

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Mayor Kuhl read Resolution #20-32 by title.  
Mayor Kuhl asked for a motion to adopt Resolution #20-32.  
Motion by MacDade, seconded by Gilbert

**ROLL CALL VOTE:**

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

**RESOLUTION #20-32**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF  
ALTERNATE PROSECUTORS**

**WHEREAS**, the Township Committee has appointed Michael O'Grodnick and the firm of Savo, Schalk, Gillespie, O'Grodnick and Fisher (the "Firm") to serve as Municipal Prosecutor; and

**WHEREAS**, the Alternate Municipal Prosecutor shall be supplied from the "Firm" when possible; and

**WHEREAS**, the individuals that will serve as the Alternate Municipal Prosecutor must be appointed by name.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Charles Schalk, Esq., of the "Firm" and Hyun Lee, Esq., are hereby appointed as Alternate Municipal Prosecutor(s) for the Raritan Township Municipal Court, effective immediately.

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Mayor Kuhl read Resolution #20-33 by title.  
Mayor Kuhl asked for a motion to adopt Resolution #20-33.  
Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

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

**RESOLUTION #20-33**

**A RESOLUTION AUTHORIZING THE APPOINTMENT OF JOHN TULLY  
AS RTMUA COMMISSIONER EFFECTIVE FEBRUARY 1, 2020**

**WHEREAS**, a vacancy for a Commissioner on the Raritan Township Municipal Utilities Authority (the "RTMUA") will exist as of January 31, 2020; and

**WHEREAS**, the Raritan Township Committee desires to fill this vacancy within the RTMUA.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that John Tully is hereby appointed as follows:

*Commissioner*  
*Effective February 1, 2020 – January 31, 2025*

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Mayor Kuhl read Resolution #20-34 by title.

Mayor Kuhl asked for a motion to adopt Resolution #20-34.

Motion by MacDade, seconded by Gilbert

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #20-34**

**A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK  
TO EXECUTE DEVELOPERS AGREEMENTS AND POST LAND-USE  
APPROVAL COMPLIANCE DOCUMENTS**

**WHEREAS**, often times the Planning Board or the Zoning Board of Adjustment of the Township of Raritan requires the execution of a developer's agreement and certain easements, restrictions, deeds of dedication and other documentation (hereinafter referred to as "documents") by the applicant for the development of land; and

**WHEREAS**, the Township Attorney and the Planning Board Attorney have jointly prepared and approved a form developer's agreement and the Township Attorney, the Planning Board Attorney and the Township of Raritan Engineering Department have approved the easements, restrictions, deeds and other documents to be utilized to fulfill the aforesaid resolution requirements before same are provided to the Mayor and Township Clerk for their execution; and

**WHEREAS**, the said agreements are generally ministerial and/or technical in nature and not concerned with policy; and

**WHEREAS**, the agreements, after completion, are to be reviewed in detail by the Township of Raritan Engineer, Planning Board Attorney or the Board of Adjustment Attorney and Township Attorney for compliance with the terms of the resolution of the approving Board; and

**WHEREAS**, the Mayor and Township Clerk execute the said agreements and documents for the purpose of satisfying recording requirements only; and

**WHEREAS**, there does not exist a requirement for individual resolutions and ordinances associated with post approval compliance of the Township Committee authorizing execution of said developers agreements and other documents, provided the Township Committee passes this resolution.

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

1. During the calendar year 2020, the Mayor and Township Clerk are hereby authorized to execute all developer's agreements and post-land use compliance documents required by the Planning Board and the Zoning Board of Adjustment after a request to do so by the Board requiring the same and also after approval of the agreements and documents by the Board Attorney, the Township Attorney and Township of Raritan Engineering Department.
2. In the event the Mayor believes that any portion of a developer's agreement or document should be viewed by the entire Township Committee before execution of the same, the Mayor is directed to discuss the agreement with the committee at large before such execution.

Mayor Kuhl read Resolution #20-35 by title.

Mayor Kuhl asked for a motion to adopt Resolution #20-35.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #20-35**

**A RESOLUTION AUTHORIZING THE CANCELLATION OF  
FIRST & SECOND QUARTER 2020 TAXES DUE TO  
100% DISABLED VETERAN EXEMPTION**

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

**WHEREAS**, the property owners listed below have received such designation by the U.S. Veterans Administration and have subsequently applied and been approved for such exemption from the Township of Raritan Tax Assessor; and

**WHEREAS**, this designation can result in the overpayment of property taxes and require the cancellation of future tax payments; and

**WHEREAS**, the Township Tax Collector, as a result of recently approved one-hundred percent (100%) disabled veteran status, recommends the cancellation of the first and second quarter 2020 tax payments as listed.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the following first and second quarter 2020 taxes be cancelled due to one-hundred percent (100%) disabled veteran exemption.

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>
Joseph H. Gill (1 West View Drive)	\$7,042.82	25	3.08

Martin Grossman (10 Trotter Lane)	\$5,303.45	53.04	13
Rahmat Ghafoor (11 Carmen Lane)	\$8,664.10	63	5.07
<b>TOTAL:</b>	<b>\$21,010.37</b>		

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Mayor Kuhl read Resolution #20-36 by title.

Mr. Lehrer explained that the proposed resolution, along with Ordinance #20-01, are part of the compliance documents required by the Court for the Township's affordable housing settlement.

Mayor Kuhl asked for a motion to adopt Resolution #20-36.  
Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**RESOLUTION #20-36**

**A RESOLUTION APPROVING AN AMENDED AFFORDABLE HOUSING TRUST FUND SPENDING PLAN AND OTHER AFFORDABLE COMPONENTS CONSISTENT WITH P.L. 2008, C. 46, COUNCIL ON AFFORDABLE HOUSING REGULATIONS AND THE SETTLEMENT AGREEMENT ENTERED INTO BETWEEN THE TOWNSHIP OF RARITAN AND FAIR SHARE HOUSING CENTER**

**WHEREAS**, in accordance with applicable Council on Affordable Housing ("COAH") regulations, the New Jersey Uniform Housing Affordability Controls ("UHAC") (N.J.A.C. 5:80-26., et seq.), and the terms of a Settlement Agreement between the Township of Raritan and Fair Share Housing Center ("FSHC"), which was entered into as part of the Township's Declaratory Judgment action entitled In the Matter of the Application of the Township of Raritan, County of Hunterdon, Docket No. HNT-L-312-15, which was filed in response to Supreme Court decision In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1, 30 (2015) ("Mount Laurel IV"), the Township of Raritan is required to adopt an Affordable Housing Trust Fund Spending Plan and Other Affordable Components; and

**WHEREAS**, the Township of Raritan currently has an approved Development Fee Ordinance and Affordable Housing Trust Fund in place which includes development fees, payments from developers in lieu of constructing affordable units on-site, barrier free escrow funds, rental income, repayments from affordable housing program loans, recapture funds, proceeds from the sale of affordable units, and funds collected in connection with the Township's affordable housing program; and

**WHEREAS**, the Township of Raritan requires approval of an Amended Affordable Housing Trust Fund Spending Plan in order to utilize any of the funds within its Affordable Housing Trust Fund; and

**WHEREAS**, the Township of Raritan has prepared an Amended Affordable Housing Trust Fund Spending Plan consistent with P.L. 2008, c. 46, Council on Affordable Housing (“COAH”) regulations and the Settlement Agreement entered into between the Township and FSHC, and the Township desires to submit its Amended Affordable Housing Trust Fund to the Court for review and approval; and

**WHEREAS**, the Township of Raritan has further prepared an Affordable Housing Rental Assistance Program, an Affordable Housing Down Payment Assistance Program, an Operating Manual for Credits without Controls Program, January 2020; an Affirmative Marketing Plan, January 2020; an Operating Manual for Rehabilitation Program, January 2020; and an Operating Manual Supportive Housing/Special Needs Program, January 2020 (collectively, the “Affordable Program Documents and Components”).

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, approves the Amended Affordable Housing Trust Fund Spending Plan and the Affordable Program Documents and Components, all of which are attached and on file with the Township Clerk, and requests that the Court review and approve the Township’s Amended Affordable Housing Trust Fund Spending Plan and Affordable Program Documents and Components, so that it can expend funds in its Affordable Housing Trust Fund; and

**BE IT FURTHER RESOLVED** that the appropriate Township officials are to take any and all actions to effectuate this Resolution and that this Resolution shall take effect pursuant to law.

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Mayor Kuhl read Resolution #20-37 by title.

Mayor Kuhl asked for a motion to adopt Resolution #20-37.

Motion by Reiner, seconded by MacDade

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #20-37**

**A RESOLUTION AUTHORIZING BUDGET TRANSFERS**

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan that the following transfers are authorized between appropriations in the 2019 appropriation reserve budget and that a certified copy of this resolution adopted by not less than a two-thirds (2/3) vote of the full membership of the governing body be transmitted to the Administrator/CFO.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Governing Body S&W	Group Health Insurance	\$ 7,400.19
Clerk S&W	Group Health Insurance	\$ 579.06
Elections	Group Health Insurance	\$ 788.40
Auditing	Group Health Insurance	\$ 1,000.00
Tax Collector S&W	Group Health Insurance	\$ 4,370.94
Legal	Group Health Insurance	\$ 3,028.73
Engineering S&W	Group Health Insurance	\$10,683.31
Planning Board S&W	Group Health Insurance	\$ 1,943.71
Zoning Board S&W	Group Health Insurance	\$ 771.89
Construction Code S&W	Group Health Insurance	\$ 451.61
Police S&W	Group Health Insurance	\$44,766.93
OEM S&W	Group Health Insurance	\$ 243.62
Fire Hydrants	Group Health Insurance	\$ 2,526.90
Prosecutor OE	Group Health Insurance	\$ 7,305.91
Streets & Roads S&W	Group Health Insurance	\$ 2,593.03
Building & Ground S&W	Group Health Insurance	\$ 2,116.14
Municipal Court S&W	Group Health Insurance	\$ 9,401.50
Municipal Court OE	Group Health Insurance	\$12,053.46
Vehicle Maint S&W	Group Health Insurance	\$ 6,855.66
Social Security	Group Health Insurance	\$46,691.56
Snow Removal S&W	Group Health Insurance	\$10,438.16
Park Maintenance S&W	Group Health Insurance	\$18,410.99
Unemployment Insurance	Group Health Insurance	\$ 5,578.30
Streets & Roads S&W	Snow Removal OE	\$25,000.00

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Mayor Kuhl read Resolution #20-43 by title.  
 Mayor Kuhl asked for a motion to adopt Resolution #20-43.  
 Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

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

**RESOLUTION #20-43**

**A RESOLUTION APPROVING A TRIPARTY AGREEMENT  
RELATED TO RARITAN TOWNSHIP ZONING BOARD OF ADJUSTMENT  
AMENDED RESOLUTION NO. 2019-18A**

**WHEREAS**, the Township of Raritan's (the "Township's") Zoning Board of Adjustment has issued certain approvals related to a Public Service Electric and Gas ("PSE&G") project at 207 Everitts Road and more formally designated as Block 86, Lots 3 and 4 on the Official Tax Map of Raritan Township, County of Hunterdon, State of New Jersey (the "Property"); and

**WHEREAS**, the Property is subject to that certain Amended Resolution No. 2019-18A adopted on December 5, 2019 by the Raritan Township Zoning Board of Adjustment (the "Resolution"); and

**WHEREAS**, the Resolution provides for the removal of certain dirt piles, stone piles and crushed concrete (the "Concrete") including the removal of 5,000 tons of the Concrete by the Township; and

**WHEREAS**, the Resolution further required that PSE&G, the Property Owner and the Township reach an agreement, in writing, on or before January 20, 2020, addressing the Parties' respective obligations for the removal of the dirt, stone and Concrete; and

**WHEREAS**, the Township wishes to approve said agreement, which is attached hereto as Exhibit "A;" and

**WHEREAS**, as set forth in the agreement, the effective date of same is January 20, 2020.

**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 foregoing recitals are incorporated herein as if set forth in full.
2. The Mayor and Township Clerk are hereby authorized to execute the triparty agreement attached hereto as Exhibit "A."
3. The Township Clerk is hereby directed to forward an electronic copy of said agreement to the Township Attorney who will, in turn, transmit same to PSE&G and the Property Owner for their execution.
4. This Resolution shall take effect immediately.

---

Mayor Kuhl read Resolution #20-44 by title.

Mayor Kuhl asked for a motion to adopt Resolution #20-44.

Motion by Gilbert, seconded by MacDade

**ROLL CALL VOTE:**

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

**RESOLUTION #20-44**

**A RESOLUTION APPROVING A DEVELOPER'S MAINTENANCE  
AGREEMENT WITH RARITAN VALLEY DEVELOPERS, INC.  
R.T.P.B FILE NO. S-1305**

**WHEREAS**, the Raritan Valley Developers, Inc. ("Developer") is the developer of a parcel of land designated on the Tax Map of the Township of Raritan ("Raritan") known as Block 71, Lots 26, 27 & 28 and Block 72, Lots 9 & 19 (the "Property"); and

**WHEREAS**, in connection with the development of the Property, Developer posted performance bonds with Raritan as is customary and in conformance with the Municipal Land Use Law, hereinafter called the "MLUL";

**WHEREAS**, on December 3, 2019, the Township Committee adopted Resolution #19-274 which conditionally released all remaining cash and performance guarantees related to certain improvements that were required to be made on the Property; and

**WHEREAS**, one condition imposed by the Township Committee as a requirement prior to the release of the cash and performance guarantees was that the Developer and the Township execute a developer's agreement for the ongoing maintenance for the project for the two-year limit set forth in the MLUL; and

**WHEREAS**, the Township now wishes to approve said agreement, which is attached hereto as Exhibit "A;" and

**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 foregoing recitals are incorporated herein as if set forth in full.
2. The Mayor and Township Clerk are hereby authorized to execute the Developer's Maintenance Agreement attached hereto as Exhibit "A."
3. This Resolution shall take effect immediately.

---

**Raritan Township Fire Company Application**

Mayor Kuhl asked for a motion to approve the Raritan Township Fire Company application for Timothy Albano.

Motion by Reiner, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

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**CONSENT AGENDA**

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

Mayor Kuhl asked for a motion to approve the Consent Agenda.  
Motion by Reiner, seconded by Hazard

**ROLL CALL VOTE:**

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

**RESOLUTION # 20-38**

**A RESOLUTION AUTHORIZING THE ADMINISTRATOR  
TO SOLICIT QUOTES AND EXECUTE CONTRACTS FOR APPRAISALS  
FOR THE HOLZI PROPERTY**

**WHEREAS**, the Mayor and Township Committee of the Township of Raritan are desirous of acquiring Open Space; and

**WHEREAS**, the Township of Raritan Open Space Advisory Committee has recommended the Holzi property as a potential acquisition.

**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 Administrator is hereby authorized to solicit at least three quotes and execute contracts for two appraisals of the Holzi property.

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**RESOLUTION #20-39**

**A RESOLUTION AUTHORIZING PARTIAL TAX REFUNDS  
FOR FOURTH QUARTER 2019**

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

**WHEREAS**, the Township Tax Collector has recommended the refund of an overpayment.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the following receive a refund in the amount specified due to over payment of fourth quarter 2019 taxes.

<u>Taxpayer</u>	<u>Block</u>	<u>Lot</u>	<u>Qual.</u>	<u>Amount</u>
Joseph & Geraldine Kaczorek (40 Sullivan Road)	36.05	45		\$304.80
Christopher & Rachelle Naples (166 Voorhees Corner Road)	79.08	50		\$1,066.53
Beth Gates & John Farmer (12 Cherryville-Stanton Road)	3	4.01		\$279.90
Jennifer R. Jacobus, Esq. Attorney for Saxena, Manish & Rita M. (10 Manchur Lane)	45.01	11		\$385.41

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**RESOLUTION #20-40**

**A RESOLUTION AUTHORIZING A REDUCTION OF  
A CASH PERFORMANCE GUARANTEE  
(BRINKERHOFF, BLOCK 15, LOT 21.11)**

**WHEREAS**, Brinkerhoff Enterprises posted a cash performance guarantee in the amount of \$39,358.80 June 17, 2019; and

**WHEREAS**, Brinkerhoff Enterprises has requested a reduction of its cash bond; and

**WHEREAS**, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the cash performance bond be reduced in the amount of \$24,358.80 plus any accrued interest; and

**WHEREAS**, the Township of Raritan will retain \$15,000.00.

**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 cash performance bond posted by Brinkerhoff Enterprises be reduced in the amount of \$24,358.80 plus any accrued interest.

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**RESOLUTION #20-41**

**A RESOLUTION AWARDED A CONTRACT TO J. CALDWELL & ASSOCIATES,  
LLC FOR PROFESSIONAL PLANNING SERVICES FOR THE EXAMINATION AND  
PREPARATION OF ZONING ORDINANCES AND AMENDMENTS**

**WHEREAS**, the Township of Raritan advertised for Professional Planning services for the examination and preparation of zoning ordinances and amendments; and

**WHEREAS**, the Township received one (1) bid on December 13, 2019; and

**WHEREAS**, the proposals were reviewed and recommendation has been made by the Township Engineer, Antoine Hajjar, for award to J. Caldwell & Associates, LLC, 145 Spring

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

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #20-01 for this purpose.

**NOW, THEREFORE, BE IT RESOLVED** on this 21<sup>st</sup> day of January, 2020, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey:

- 1) That a contract be and is hereby awarded to J. Caldwell & Associates, LLC, 145 Spring Street, Suite E, Newton, New Jersey, 07860.
- 2) That the contract does not exceed \$45,000.00.
- 3) That the Mayor and Township Clerk are hereby authorized and directed to execute contracts with J. Caldwell & Associates, LLC in accordance with the specifications and bid documents.

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**RESOLUTION #20-42**

**A RESOLUTION PROCLAIMING JANUARY AS  
NATIONAL RADON AWARENESS MONTH**

**WHEREAS**, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer, causing as many as 500 lung cancer deaths annually in New Jersey; and

**WHEREAS**, elevated radon levels are found in many homes and pose a serious health threat to families residing in these homes; and

**WHEREAS**, any home may have high levels of radon – even if neighboring homes do not; and

**WHEREAS**, radon testing is easy and inexpensive – and elevated levels of radon can be effectively reduced at the cost of a typical home repair; and

**WHEREAS**, a significant number of homes in the Township of Raritan may have elevated levels of radon; and

**WHEREAS**, the New Jersey Department of Environmental Protection and the United States Environmental Protection Agency are collaborating during the month of January to promote the need for radon testing in an effort to protect lives of New Jersey residents; and

**WHEREAS**, if all New Jersey homes with concentrations at or above 4 pCi/L were mitigated, about 78 lives could be saved this year.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey hereby proclaim the month of January 2020 as

***RADON ACTION MONTH***

and call upon all residents who have not yet tested their homes for radon to test and to reduce radon levels if elevated levels are found, to protect their families from the serious health risk of radon.

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**RESOLUTION #20-45**

**A RESOLUTION AUTHORIZING THE RETURN OF DEVELOPER'S ESCROW  
(JEROME)**

**WHEREAS**, Jerome has requested the return of a Developer's Escrow; and  
**WHEREAS**, Kristi Gano, Payroll/Benefits Coordinator, has submitted a memo dated January 15, 2020 and recommended the return of the following Developer's Escrow:

Jerome	SP-550-PF	\$7,725.60
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**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Developer's Escrow posted in the amount of \$7,725.60 by Jerome is hereby refunded.

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**PRIVILEGE OF THE FLOOR**

The following members of the public spoke during public comment:

**Sharon Winnick**, a resident of 20 Monsey Road, asked for clarification regarding the \$36,000 County grant for review of Township zoning laws.

**Barbara Sachau**, a resident of 2 Glenway Drive, asked for clarification regarding fee exemptions and vacation carryover.

During Public Comment, Mayor Kuhl explained that the Township's zoning ordinances are very old and in need of updating and the grant provides an affordable means to do so. Mr. Lehrer cited an example regarding performance bond requirements. He explained that performance bond standards have been superseded within the past two years by Municipal Land Use Law and are only required for public improvements such as sidewalks and curbing. Mr. Lehrer advised that the Township ordinance needs to be fully amended to correct that. Regarding the inquiry about fee exemptions, Mayor Kuhl, Mr. Lehrer and Mr. Hutchins commented on eligibility and types of fee exemptions including pet licensing and recycling permits advising that a full list of exemptions can be found on the website (Ordinance #17-24) and clarified that only the municipal portion is waived. Mr. Hutchins also addressed the inquiry regarding vacation carryover explaining that any vacation allotment carried over must be taken by June. Mayor Kuhl added that all contracts reflect limitations on vacation carryover.

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**ADJOURNMENT**

Mayor Kuhl asked for a motion to adjourn.  
Motion by Reiner, seconded by Gilbert  
**MOTION UNANIMOUSLY CARRIED**

Meeting adjourned at 7:48 p.m.

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Respectfully submitted,

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Lisa Fania, RMC  
Township Clerk

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

**RESOLUTION #20-47**

**A RESOLUTION AUTHORIZING A BUDGET TRANSFER**

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

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

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the following transfers are authorized between appropriations in the 2019 appropriation reserve budget and that a certified copy of this resolution adopted by not less than a two-thirds (2/3) vote of the full membership of the governing body be transmitted to the Administrator/CFO.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Group Health Insurance	HealthCare Trust Reserve	\$200,000.00
Snow Removal OE	Snow Trust Reserve	\$ 25,000.00

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee at a meeting held on February 4, 2020.

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

TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #20-48

**A RESOLUTION CERTIFYING COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964"**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c. 183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964" as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the Township Committee have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

ATTEST:

TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

CERTIFICATION

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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

16 IIc.

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

**RESOLUTION #20-49**

**A RESOLUTION ENDORSING THE 2020 AMENDED THIRD ROUND  
HOUSING PLAN ELEMENT AND FAIR SHARE PLAN**

**WHEREAS**, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Raritan Township Planning Board (the "Board"), held a public hearing on January 22, 2020, on the proposed 2020 amended Housing Element & Fair Share Plan, dated January 6, 2020, prepared by Jessica C. Caldwell, P.P., A.I.C.P., Township Planner, License No. 5944 (the "Plan").

**WHEREAS**, upon the conclusion of the public hearing the Board determined that the proposed Plan will guide the use of lands and affordable housing in the Township in a manner which protects public health and safety and promotes the general welfare and affordable housing in accordance with N.J.S.A. 40:55D-28, considers the lands that are most appropriate for construction of very low, low and moderate income housing in accordance with N.J.S.A. 52:27D-310, and is designed to achieve access to affordable housing to meet the Township's Mount Laurel constitutional affordable housing obligations.

**WHEREAS**, by motion duly made and seconded on January 22, 2020, the Board pursuant to Resolution No. 8-2020 adopted the Plan.

**NOW, THEREFORE, BE IT RESOLVED** by motion duly made and seconded on February 4, 2020, the Township Committee hereby endorses the Plan.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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

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

**RESOLUTION #20-50**

**A RESOLUTION AUTHORIZING THE PLANNING BOARD  
TO CONDUCT A PRELIMINARY INVESTIGATION  
WHETHER THE PROPERTY IDENTIFIED AS BLOCK 84,  
LOT 34 IN THE TOWNSHIP OF RARITAN MEETS THE  
CRITERIA AS AN AREA IN NEED OF REDEVELOPMENT  
(NON-CONDEMNATION)**

**WHEREAS**, Mavrode Holdings, LLC (the “Developer”) has approached the Township of Raritan (the “Township”) for the potential redevelopment of the property identified as Block 84, Lot 34 on the Tax Map of the Township of Raritan, located at 99 Route 31/202, Ringoes, New Jersey (the “Property” or “Study Area”); and

**WHEREAS**, the Developer wishes for the Township to perform a study of whether the Property meets the criteria as an “area in need of redevelopment” pursuant to the Local Housing and Redevelopment Law, N.J.S.A. 40A:12A-1, *et seq.* (the “Redevelopment Law”); and

**WHEREAS**, the Developer and the Township have entered into a Funding Agreement which provides for the Developer’s payment toward the reasonable fees of the Township’s professionals (including the Planning Board’s professionals) in connection with the redevelopment investigations, the preparation of any redevelopment plans, along with related agreements; and

**WHEREAS**, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be determined a redevelopment area unless the governing body of the municipality shall, by resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area according to the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, pursuant to P.L. 2003, Chapter 159, the resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a ‘Non-Condemnation Redevelopment Area’) or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a ‘Condemnation Redevelopment Area’); and

**WHEREAS**, the Township Committee of the Township of Raritan finds it to be in the best interest of the Township and its residents to authorize the Township Planning Board to undertake such preliminary investigation of the Study Area as a Non-Condernation Redevelopment Area.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, pursuant to the notice, hearing and other requirements of the Redevelopment Law, in order to make a recommendation to the Township Committee whether the Study Area, or any portion thereof, is an area in need of redevelopment according to the criteria set forth in N.J.S.A. 40A:12A-5.

**BE IT FURTHER RESOLVED** that at least ten (10) days prior to the public hearing before the Planning Board, a map showing the boundaries of the Study Area and location of the various parcels of property included therein will be on file with the Planning Board for public inspection.

**BE IT FURTHER RESOLVED** that, pursuant to New Jersey P.L.2013, c.159, the redevelopment area determination shall authorize the Township to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain, also know as a "Non-Condernation Redevelopment Area."

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution is to be forwarded to the Township Planning Board.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect pursuant to law.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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

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

**RESOLUTION #20-51**

**A RESOLUTION AUTHORIZING THE FIRST AMENDMENT TO THE  
MEMORANDUM OF AGREEMENT BETWEEN THE TOWNSHIP OF  
RARITAN AND ALFRED C. PAYNE III, CHIEF OF POLICE**

**WHEREAS**, this Memorandum of Understanding is effective as of April 1, 2019 by and between the TOWNSHIP OF RARITAN, a Municipality of the County of Hunterdon, State of New Jersey, hereinafter referred to as the "Township" and Alfred C. Payne, III, Chief of Police, hereinafter referred to as the "Chief;" and

**WHEREAS**, the Township and Chief Alfred C. Payne III have agreed to amend Section VII, A. of the Memorandum of Agreement, reducing the annual accrued allotment of sick days from fifteen (15) to twelve (12).

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey hereby authorizes the following first Amendment to the Memorandum of Agreement, dated April 1, 2019, between the Township of Raritan and Alfred C. Payne III, Chief of Police effective retroactively to January 1, 2020.

1. The Chief shall be able to accrue twelve (12) days of sick leave during each calendar year.
2. The Chief shall receive \$1,350.00 as a one-time buyout of three (3) sick days which shall be incorporated into the base salary.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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

16 II f.

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

**RESOLUTION #20-60**

**A RESOLUTION EXTENDING AFFORDABLE HOUSING RESTRICTIONS AND  
CONTROLS ON EXISTING TOWNSHIP AFFORDABLE HOUSING UNITS**

**WHEREAS**, N.J.A.C. 5:80-26.25(a) provides that “a municipality shall have the right to determine that the most desirable means of promoting an adequate supply of low and moderate income housing is to prohibit the exercise of any repayment option and maintain controls on lower income housing units sold within the municipality beyond the period required by N.J.A.C. 5:93-9.2” (the “Controls”); and

**WHEREAS**, such a determination shall be made by resolution of the municipal governing body and shall be effective upon adoption; and

**WHEREAS**, the municipality’s resolution must specify the time period for which the repayment option shall not be applicable, and that during such period, no seller in the municipality may utilize any repayment option permitted by N.J.A.C. 5:93-9.8; and

**WHEREAS**, pursuant to N.J.A.C. 5:80-26.25(b), a municipality that exercises the option outlined above shall: (1) provide public notice in a newspaper of general circulation and (2) notify the municipality’s administrative agent; and

**WHEREAS**, the municipality’s administrative agent or attorney shall ensure that the deed restriction(s) on all affected housing units reflect the extended period of Controls; and

**WHEREAS**, the Controls set forth in any declaration may be extended by municipal resolution as provided for in N.J.A.C. 5:93-9 and said paragraph provides that the resolution shall provide for a period of extended restrictions; and

**WHEREAS**, out of an abundance of caution and due to the discrepancy in some dates of potential termination of the Controls, and because Raritan Township has determined that the most desirable means of promoting an adequate supply of low and moderate income housing in Raritan Township pursuant to N.J.A.C. 5:80-26.25 is to maintain the Controls on certain affordable housing units for a longer period than the initial time period(s), Raritan Township has determined to adopt the within Resolution to extend the Controls on these affordable housing units (the “Units”).

**WHEREAS**, certain buyers of six Units have previously voluntarily extended at real estate closings the Controls on those Units and the Township affirms that those six Units shall also be subject to the extended restrictions set forth in this resolution in a similar manner and fashion.

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

1. Any repayment option shall not be permitted from the date of this Resolution until in perpetuity.

2. The Controls are extended in perpetuity, and during this period of extended Controls no seller of the Units may utilize any repayment option as permitted by N.J.A.C. 5:93-9.8.
3. The Raritan Township Clerk is authorized and directed to publish this Resolution in full in the official newspaper of Raritan Township and to notify the administrative agent and affordable housing attorney for the Township of the Raritan Township Committee's action.
4. This Resolution shall evidence that the Controls have been extended in accordance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. and any amendments, changes or supplements thereto ("UHAC") and the Raritan Township affordable housing ordinances.
5. The Township of Raritan shall ensure that the Controls on the Units extend in perpetuity or until otherwise released by Raritan Township in accordance with UHAC.
6. The sale and use of the Units is governed by UHAC.
7. The covenants (the "Covenants") in paragraph 8 herein shall run with the Units for the in perpetuity period of time (the "Control Period").

**The Units in the  
Township of Raritan, County of Hunterdon**

	<u>Block</u>	<u>Lot</u>	<u>Unit</u>	<u>Unit Address</u>
1.	71.25	1	(C01108)	108 Blackberry Court
2.	71.25	1	(C0508)	508 Reed Court
3.	71.25	1	(C01208)	1208 Southard Court
4.	71.25	1	(C0710)	710 Reed Court
5.	71.25	1	(C0714)	714 Reed Court
6.	71.25	1	(C0308)	308 Saddle Court
7.	71.25	1	(C0408)	408 Saddle Court
8.	71.25	1	(C1010)	1010 Wheatfield Court
9.	71.25	1	(C1108)	1108 Wheatfield Court

Block 71.25, Lot 1, is formerly known as Block 71, Lot 25. Said Units 1 to 9 above further subject to the provisions of a Deed dated July 13, 1990, from Stone Gate Developers, Inc. as grantor, to Stone Gate Developers, Inc. as Grantee, recorded with the Hunterdon County Clerk on July 25, 1990, in Deed Book 1046, Page 317, formerly known as Block 71, Lot 25.

10.	64	3	(C0203)	203 Clark Circle
11.	64	3	(C0404)	404 Clark Circle
12.	64	3	(C0504)	504 Clark Circle
13.	64	3	(C0505)	505 Clark Circle
14.	64	3	(C0604)	604 Clark Circle
15.	64	3	(C0705)	705 Clark Circle

Said Units 10 to 15 above, located and known as South Main Village Condominium Association, Inc. Said Units being further subject to the provisions of the South Village Condominium Master Deed dated April 28, 1989, recorded in the Hunterdon County Clerk's Office on May 11, 1989, in Deed Book 1025, Page 819, and as recorded further on the same date in Deed Book 1025, Page 882.

**Six Previously Closed  
And Extended Units**

	<u>Block</u>	<u>Lot</u>	<u>Unit</u>	<u>Unit Address</u>	<u>Closing Date</u>
16.	64	3	(C0103)	103 Clark Circle	March 15, 2012
17.	64	3	(C0104)	104 Clark Circle	May 14, 2009
18.	64	3	(C0304)	304 Clark Circle	July 17, 2013
19.	64	3	(C0403)	403 Clark Circle	October 30, 2013
20.	64	3	(C0603)	603 Clark Circle	April 6, 2011
21.	71	25	(C0608)	608 Wheatfield Court	December 29, 2015

Mailing address for all 21 units is Flemington, New Jersey 08822.

8. In accordance with N.J.A.C. 5:80-26.11, each restricted Unit shall remain subject to the requirements of the Control Period until Raritan Township elects to release the Unit from such requirements. Prior to such a municipal election, a restricted Unit must remain subject to the requirements of this subchapter for a period of at least thirty (30) years from the date of this Resolution.
  - A. Sale and use of the Units is governed by regulations known as the Uniform Housing Affordability Controls, which are found in New Jersey Administrative Code at Title 5, chapter 80, subchapter 26 (N.J.A.C. 5:80-26.1, et seq., the "Uniform Controls").
  - B. The Units shall be used solely for the purpose of providing dwelling units for very low, low, or moderate income households, and no commitment for any such very low, low, or moderate income dwelling unit shall be given or implied, without exception, to any person who has not been certified for that Unit in writing by the Administrative Agent. So long as any very low, low, or moderate income dwelling unit remains within its Control Period, sale of the Unit must be expressly subject to UHAC Deed Restrictions, deeds of conveyance must have these Deed Restrictions appended thereto, and no sale of the Units shall be lawful, unless approved in advance and in writing by the Administrative Agent and Raritan Township.
  - C. No improvements may be made to the Units that would affect the bedroom configuration of any of its very low, low, or moderate income dwelling units, and any improvements to the very low, low, or moderate income dwelling units must be approved in advance and in writing by the Administrative Agent and Raritan Township.

- D. The Owner shall notify the Administrative Agent and Raritan Township of any foreclosure actions filed with respect to the Property within five (5) business days of service upon Owner.
  - E. The Owner shall notify the Administrative Agent and Raritan Township within three (3) business days of the filing of any petition for protection from creditors or reorganization filed by or on behalf of the Owner.
9. A breach of the Covenants will cause irreparable harm to the Administrative Agent, to Raritan Township and to the public, in light of the public policies set forth in the New Jersey Fair Housing Act, the Uniform Housing Affordability Control rules found at N.J.A.C. 5:80-26, and the obligation for the provision of very low, low and moderate income housing.
- A. In the event of a threatened breach of any of the Covenants by the Owner, or any successor in interest of the units, the Administrative Agent and Raritan Township shall have all remedies provided at law or equity, including the right to seek injunctive relief or specific performance.
  - B. Upon the occurrence of a breach of any Covenants by a Unit owner, or any successor in interest or other owner of the Units, the Administrative Agent and the Municipality shall have all remedies provided at law or equity, including but not limited to, forfeiture, foreclosure, acceleration of all sums due under any mortgage, recouping of any funds from a sale in violation of the Covenants, diverting of rent proceeds from illegal rentals, injunctive relief to prevent further violation of said Covenants, entry on the premises, those provided under Title 5, Chapter 80, Subchapter 26 of the New Jersey Administrative Code and specific performance.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

---

Lisa Fania, RMC  
Township Clerk

---

Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

---

Lisa Fania, RMC  
Township Clerk



TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #20-53

A RESOLUTION AUTHORIZING THE REFUND OF A  
CONSTRUCTION PERMIT FEE (SUNRUN INSTALLATION SERVICES, INC.)

WHEREAS, Sunrun Installation Services, Inc. has requested the refund of a construction permit fee; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated January 17, 2020 recommending the refund of building and electrical permit fees in the amount of \$224.00.

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 building and electrical permit fees in the amount of \$224.00 paid by Sunrun Installation Services, Inc. is hereby refunded.

TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN

ATTEST:

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

CERTIFICATION

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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

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

**RESOLUTION #20-54**

**A RESOLUTION AUTHORIZING THE REFUND OF A  
CONSTRUCTION PERMIT FEE (VIVINT SOLAR DEVELOPERS)**

**WHEREAS**, Vivint Solar Developers has requested the refund of a construction permit fee; and

**WHEREAS**, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated January 23, 2020 recommending the refund of building and electrical permit fees in the amount of \$224.00.

**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 building and electrical permit fees in the amount of \$224.00 paid by Vivint Solar Developers is hereby refunded.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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

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

**RESOLUTION #20-55**

**A RESOLUTION AUTHORIZING THE RELEASE OF A STREET OPENING BOND  
(MASHAS)**

**WHEREAS**, Mark Mashas has requested the release of a street opening bond posted in the amount of \$1,000.00 for Block 72.28, Lot 12 (14 Skyline Drive); and

**WHEREAS**, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the release of the street opening 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 street opening bond in the amount of \$1,000.00 posted by Mark Mashas is hereby granted.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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

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

**RESOLUTION #20-56**

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

**WHEREAS**, Lance Dunn has requested the release of a cash bond posted in the amount of \$500.00 for a solicitor's permit; and

**WHEREAS**, Lisa Fania, Municipal Clerk, recommends the release of the cash bond in the amount of \$500.00.

**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 \$500.00 bond posted by Lance Dunn is hereby returned.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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

**RESOLUTION # 20-57**

**A RESOLUTION DESIGNATING RAYMOND L. HUGHES II AS  
RISK MANAGER FOR THE TOWNSHIP OF RARITAN**

**WHEREAS**, a condition of membership in the Somerset County Joint Insurance Fund is that a Risk Manager be designated to represent the Township of Raritan.

**WHEREAS**, the Township Administrator recommends Raymond L. Hughes II as Risk Manager; and

**WHEREAS**, the Township Committee has selected Raymond L. Hughes II of New Jersey Risk Managers and Consultants, Inc., 20 West End Avenue, P.O. Box 367, Somerville, New Jersey 08876 to provide the services of Risk Manager for Raritan Township.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that Raymond L. Hughes II be designated as the Risk Manager for the Township of Raritan.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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

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

**RESOLUTION #20-58**

**A RESOLUTION APPROVING CONTRACT EXTENSION OF MANAGEMENT  
AND ADMINISTRATION OF DATA PROCESSING SERVICES TO  
LINK HIGH TECHNOLOGIES**

**WHEREAS**, the Township of Raritan has an existing contract for Management and Administration of Data Processing Services with Link High Technologies; and

**WHEREAS**, the award of contract by Resolution #18-43 allows for two (2), one-year extensions; and

**WHEREAS**, there remains an option to extend the contract for one (1), one-year extension; and

**WHEREAS**, the Township Administrator recommends that the contract with Link High Technologies be extended for one (1) year; and

**WHEREAS**, the Township Committee of the Township of Raritan wishes to extend the contract for Management and Administration of Data Processing Services with Link High Technologies; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #20-02 for the amount of \$27,600.00.

**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) That it hereby authorizes a contract extension for the Management and Administration of Data Processing Services with Link High Technologies, 51 Gibraltar Drive, Suite 2A, Morris Plains, New Jersey 07950 for a one year extension effective February 21, 2020 and terminating February 20, 2021.
- 2) For an annual sum of \$27,600.00 which includes a \$500.00 monthly retainer for remote and on-site support, proactive monitoring of 63 workstations and 3 servers.
- 3) Additional support and service at \$110.00 per hour.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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Lisa Fania, RMC  
Township Clerk

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Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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Lisa Fania, RMC  
Township Clerk

CERTIFICATION OF AVAILABILITY OF FUNDS

No. 20-02

I, William B. Pandos, Chief Financial Officer of the Township of Raritan do hereby certify as follows:

1. I have examined the budgetary and other accounts to determine if sufficient funds are available to award a contract for the following:

- Professional services
- Materials, supplies or equipment
- Construction/reconstruction
- Major repairs

Description: The Township Committee wishes to extend the contract for Management + Administration of Data Processing Svc

Vendor: Link High Technologies

Amount(s): Not to exceed \$27,600.00

P.O. No. \_\_\_\_\_  
(if applicable)

2. Funds are available as follows:

Fund name:  Current  Capital  Other

Budget year: 2020 Any contingency?  No  Yes

of 2020 Municipal Budget

Subject to approval

Account title(s): Data Processing

Resolution/Ordinance Date: 02/04/2020

Resolution/Ordinance Number: 20-58

Amounts

Account no(s):

- Adopted budget
- Ordinance
- Trust fund
- Temporary budget

a. 01-201-20-140-222

\$27,600.00

b. \_\_\_\_\_

c. \_\_\_\_\_

William B. Pandos

William B. Pandos

01/28/2020  
Date

cc: Finance  
C. Barbati

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

**RESOLUTION #20-59**

**A RESOLUTION APPROVING EXTENSION OF MUNICIPAL MANAGEMENT  
SOFTWARE CONTRACT WITH SPATIAL DATA LOGIC (SDL)**

**WHEREAS**, the Township of Raritan has an existing contract for purchase and licensing of Municipal Management System Software to manage the Construction, Fire Inspection, Planning/Zoning/Engineering, Tax Assessor, Clerk and Administration Departments; and

**WHEREAS**, the Township Administrator recommends that the contract be extended for one (1) year; and

**WHEREAS**, the Township Committee of the Township of Raritan wishes to extend the contract for purchasing and licensing Municipal Management System Software through Spatial Data Logic (SDL); and

**WHEREAS**, Spatial Data Logic Municipal Management Software qualifies to be purchased and licensed using State Bid Contract M-0003 New Jersey Software Reseller Contract, from SHI International Corporation, Kevin Gordon, Account Executive, 300 Davidson Drive, Somerset, New Jersey 08873, at a cost of \$ 32,500.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #20-03.

**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 contract for the purchase and licensing of Spatial Data Logic Municipal Management Software, under State Bid Contract M-0003 New Jersey Software Reseller Contract, from SHI Corporation, Somerset, New Jersey at a cost of \$32,500.00 for a contract period of one-year, to commence upon the date of the expiration of the existing contract is hereby authorized.

**ATTEST:**

**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

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

\_\_\_\_\_  
Jeff Kuhl  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify that the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee of the Township of Raritan at a meeting held on February 4, 2020.

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Lisa Fania, RMC  
Township Clerk

CERTIFICATION OF AVAILABILITY OF FUNDS

No. 20-03

I, William B. Pandos, Chief Financial Officer of the Township of Raritan do hereby certify as follows:

I have examined the budgetary and other accounts to determine if sufficient funds are available to award a contract for the following:

- Professional services
- Materials, supplies or equipment
- Construction/reconstruction
- Major repairs

Description: Purchase & licensing of Municipal Management System

Software to manage the Construction, Fire Inspection, Planning/Zoning/Engineering  
TX Assessor, Clerk and Administration Departments

Vendor: Spatial Data Logic

Amount(s): Not to exceed \$32,500.00

P.O. No. \_\_\_\_\_  
(if applicable)

2. Funds are available as follows:

Fund name:  Current  Capital  Other

Budget year: 2020 Any contingency?  No  Yes

Subject to approval

of 2020 Municipal Budget

Account title(s): Data Processing

Resolution/Ordinance Date: 02/04/2020

Resolution/Ordinance Number: 20-59

Amounts

Account no(s):

- Adopted budget
- Ordinance
- Trust fund
- Temporary budget

a. 01-201-20-140-222 \$32,500.00

b. \_\_\_\_\_

c. \_\_\_\_\_

William B. Pandos

William B. Pandos

01/31/2020  
Date

cc: Finance  
C. Barbati