

List of Bills - (All Funds)

6 A

Vendor	Description	Current Fund	Payment	Check Total
1640 - APPROVED FIRE PROTECTION CO	PO 3479 Annual Inspections/Replacements	929.00	929.00	
3834 - ARROW ELEVATOR INC	PO 3650 March Maintenance	130.00	130.00	
1232 - AT&T	PO 3683 2/2017	397.52	397.52	
728 - CARTRIDGE WORLD	PO 3550 TONER CARTRIDGES	287.95	287.95	
3297 - CDW GOVERNMENT	PO 3230 Software	91.50	91.50	
895 - CENTURYLINK	PO 3677 2/2107	622.86	622.86	
1752 - CENTURYLINK-PAYPHONES	PO 3676 FEBRUARY 2017	50.00	50.00	
799 - CINTAS CORP	PO 3567 Medical Supplies	235.62		
1710 - CINTAS CORP	PO 3634 Medical Supplies	107.26		342.88
	PO 3533 Janitorial Supplies	119.17		
	PO 3639 Janitorial Supplies	41.10		160.27
196 - COURIER NEWS	PO 3593 PW Supt. Ad	331.25		
	PO 3653 0001886518 Ordinance 16-23	9.89		
	PO 3654 0001886526 Ordinance 16-26	14.19		
	PO 3655 0001951701 Ordinance 17-03	105.78		
	PO 3656 0001930308 Ordinance 17-01	12.47		
	PO 3657 0001886541 Public Hearing 2/7 notic	45.58		519.16
4481 - DAVID FABIANO	PO 3339 B-2017 MIIAGE REIMBURSEMENT	40.30		40.30
3833 - DIFRANCESCO, BATEMAN, COLEY ETC	PO 3254 B-2017 LEGAL SERVICES	9,073.64		
	PO 3255 B-2017 LABOR/LITIGATION SERVICES	3,734.22		12,807.86
236 - DITSCHMAN/FLEMINGTON FORD	PO 3595 Truck repair parts	28.85		
	PO 3649 #34 front steering repair	351.35		380.20
2347 - DON LONGO INC	PO 3644 Diesel & Gas pump repair	1,316.30		1,316.30
802 - EAST COAST EMERGENCY LIGHTING	PO 2335 Equipment and installation- (2) Cha	31,997.22		31,997.22
873 - FLEMINGTON CHEVROLET	PO 3597 Police repair parts	254.12		
	PO 3651 21-13 diff repair	26.77		280.89
	PO 3603 Supplies	60.94		60.94
315 - FLEMINGTON SUPPLY CO	PO 3594 Police Tires	957.48		957.48
354 - GOODYEAR AUTO CENTER	PO 3647 18 Volt Angle Drill	108.24		108.24
11 - GRAINGER	PO 2637 DIGITAL RECORDING SYSTEM	4,435.00		4,435.00
4463 - GRAMCO BUSINESS COMMUNICATIONS	PO 3340 B - 2017 MIIAGE REIMBURSEMENT	38.13		38.13
2786 - H. JOHN BORST	PO 3638 Supplies	4.98		4.98
3914 - HOME DEPOT CREDIT SREV	PO 3637 Keys Copied	102.58		
2 - HUNTERDON LOCK & SAFE	PO 3662 Keys Copied	33.36		135.94
	PO 3439 SABRE - Smoke Sabre smoke detector	274.74		274.74
4505 - INSPECT USA INC	PO 3645 Squad & police Batteries	1,149.50		1,149.50
430 - INTERSTATE BATTERY SYSTEM	PO 3661 Insect Maintenance	132.00		132.00
1062 - J.C. EHRLICH CO INC	PO 3681 JANUARY - FEBRUARY 2017	10,339.68		10,339.68
451 - JCP&L	PO 3548 Repair parts	949.45		
2241 - JESCO INC	PO 3600 Hot Box Parts	65.18		1,014.63
1388 - KENNEDY CULVERT	PO 3562 Poly Coupling	41.60		41.60

List of Bills - (All Funds)

Vendor	Description	Payment	Check Total
2795 - KOLLMER EQUIPMENT	PO 3563 Chain saw oils	144.40	144.40
2512 - I-3 COMMUNICATION	PO 3495 Vehicle antenna and cables	107.10	107.10
4542 - LACEY WILLIAMS EQUIP CO	PO 3642 Driveshaft trk 12 Repair	454.00	454.00
4485 - LAWMAN SUPPLY CO	PO 3087 Flashlights and Mounting Rails for	483.48	483.48
4322 - LINK HIGH TECH INC	PO 3400 B-2017 RETAINER FEES	2,000.00	
	PO 3401 B-2017 MONTHLY MONITORING	2,200.00	
256 - MACMILLAN OIL CO., INC.	PO 3590 Service oils	981.00	4,200.00
4521 - MATT MCKENNA	PO 3532 Mailbox Reimbursement	25.85	981.00
1433 - MCELROY, DEUTSCH ETC...	PO 3256 B-2017 LEGAL SERVICES	162.02	25.85
1431 - MCMANIMON & SCOTLAND, I.L.C.	PO 3620 SERVICES FOR VARIOUS FINANCIAL MATT	3,504.50	162.02
5 - MCMASTER-CARR SUPPLY CO.	PO 3602 21-24 &25 police	308.62	3,504.50
1665 - MICHAEL WRIGHT	PO 3342 B-2017 MITAGE REIMBURSEMENT	29.14	308.62
1490 - MORRIS CO FIREFIGHTERS & POLICE	PO 3607 Academy waiver training for Ptl. Me	500.00	29.14
3191 - MUNICIPAL RECORD SERVICE	PO 3472 Office Supplies, Forms	527.00	500.00
2915 - MUNIDEX INC	PO 3553 500 Notice to defendant, 2-part	145.00	672.00
4061 - NAPA	PO 3618 2017 SOFTWARE MAINT CONTRACT	418.20	418.20
3121 - NATIONAL PARTS SUPPLY	PO 3660 Service & Repair Parts	316.63	316.63
372 - NJ ADVANCED MEDIA	PO 3665 January 2017	257.63	257.63
1455 - NJ ANALYTICAL LABORATORIES	PO 3186 Testing	29.88	29.88
4221 - NJ SHADE TREE FEDERATION	PO 3409 Municipal Membership	150.00	150.00
641 - NJ STATE LEAGUE OF MUNICIPALITIES	PO 3580 PW Super Ad	95.00	95.00
393 - ONE CALL CONCEPTS	PO 3606 Employment Ad Fire	130.00	240.00
781 - ONE SOURCE OF NJ LLC	PO 3635 February	193.75	193.75
2476 - PECKHAM IND, INC	PO 3591 Plow Supplies	225.07	225.07
2587 - PETER ENEA	PO 3636 Calcium Chloride	1,896.55	1,896.55
4387 - Pinnacle Insurance Solutions	PO 3672 PERC WITNESS 3/1/17 - 3/6/17	480.00	480.00
	PO 3482 Insurance Renewal	2,292.00	
1996 - R & H TRUCK PARTS & SERVICE	PO 3598 Bond, S. Brown	777.00	3,069.00
	PO 3599 # 27 Steering	35.21	
673 - RACHLES/MICHELE'S OIL CO	PO 3648 trk 1 Steering repair	22.99	58.20
4513 - ROYAL FLUSH	PO 3571 Fuel	4,999.62	4,999.62
767 - SAMZIES UNIFORMS	PO 3659 Rental	74.49	74.49
828 - SHAMMY SHINE CAR WASHES	PO 2936 Uniforms	247.00	247.00
3350 - STASHLUK MECHANICAL CONTRACTORS INC	PO 3604 # 28 repair	18.95	18.95
1561 - STICKEL, KOENIG, SULLIVAN & DRILL	PO 3663 Service Call and Repair	139.40	139.40
870 - TIRPOK CLEANERS	PO 3528 B-NON ESCROW FOR 2017	38.75	38.75
735 - TRANSUNION RISK &	PO 3557 January Dry Cleaning	756.25	756.25
879 - TRAP ROCK INDUSTRIES	PO 3640 Detective Searches	55.50	55.50
3187 - TRIUS INC	PO 3667 Black Top	662.48	662.48
1310 - UNIVERSAL COMPUTING SERVICES INC	PO 3561 trk 17 snow deflector	267.05	267.05
	PO 3552 message mailers	770.50	770.50

List of Bills - (All Funds)

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Vendor	Description	Payment	Check Total
2142 - VERIZON WIRELESS	PO 3675 3/2017 - CARS (OLD)	160.04	
	PO 3682 2/2017 - CARS	597.65	757.69
1690 - WITMER PUBLIC SAFETY, INC	PO 3041 Tabletop Gun Clearing Trap	350.00	350.00
State & Federal Grants			
767 - SAMZIES UNIFORMS	PO 3581 VEST - LT PAYNE	834.90	834.90
Trust			
1352 - ANIMAL CONTROL SOLUTIONS	PO 3678 02/22/17 - 03/22/17	2,200.00	2,200.00
1629 - ANIMAL CONTROL & INVEST SERV, LLC	PO 3529 B-2017 ANIMAL CONTROL SERVICES	1,725.00	1,725.00
4079 - CENTRAL JERSEY HSG RESOURCE	PO 3270 B-2017 COAH SERVICES	3,755.50	3,755.50
4522 - DWT CONSULTANTS INC	PO 3549 STATE VS. PEDERSEN	400.00	400.00
2771 - FLEMINGTON SOUTH GARDENS	PO 3259 B-2017 COAH	6,437.95	6,437.95
1433 - MCELROY, DEUTSCH ETC...	PO 3257 B-2017 COAH SERVICES	2,496.70	2,496.70
2915 - MUNDIX INC	PO 3618 2017 SOFTWARE MAINT CONTRACT	418.20	418.20
1014 - NJ STATE DEPT OF HEALTH	PO 3631 FEB 2017	18.00	18.00
4222 - VOLLERS	PO 3531 Concrete Disposal	114.01	114.01
General Capital			
3327 - JOHNSTON COMMUNICATIONS	PO 3586 Auto Attendant Set Up	350.00	350.00
TOTAL			115,936.73
Summary By Account			
ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR NON-BUDGETARY
01-101-01-000-001	CASH TD BANK		0.00
01-201-20-100-200	TOWNSHIP ADMINISTRATOR O/E	571.25	97,186.47
01-201-20-120-200	TOWNSHIP CLERK - OE	785.78	
01-201-20-140-200	DATA PROCESSING SERVICES OE	4,618.20	
01-201-20-155-200	LEGAL SERVICES OE	16,474.38	
01-201-21-185-200	ZONING BOARD OE	126.73	
01-201-22-195-200	CONSTRUCTION OFFICIAL OE	494.29	
01-201-23-210-200	OTHER INSURANCE	3,069.00	
01-201-25-240-200	POLICE OE	1,418.85	
01-201-26-290-200	ROAD REPAIR & MAINTENANCE OE	1,112.00	
01-201-26-295-200	SNOW REMOVAL OE	1,922.40	
01-201-26-306-200	P.E.O.S.H.A. ROADS OE	342.88	
01-201-26-310-200	PUBLIC PROPERTY (B&G) OE	1,573.36	

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-26-315-200	VEHICLE MAINTENANCE OE	8,238.79			
01-201-28-375-200	PARK MAINTENANCE OE	74.49			
01-201-31-440-200	UTILITIES	17,167.37			
01-201-43-490-200	MUNICIPAL COURT OE	672.00			
01-203-20-120-200	(2016) TOWNSHIP CLERK - OE		2,217.50		
01-203-20-140-200	(2016) DATA PROCESSING SERVICES OE		91.50		
01-203-25-240-200	(2016) POLICE OE		33,077.70		
01-203-26-310-200	(2016) PUBLIC PROPERTY (B&G) OE		150.00		
01-203-43-490-200	(2016) MUNICIPAL COURT OE		2,988.00		
TOTALS FOR	Current Fund	58,661.77	38,524.70	0.00	97,186.47
02-101-01-000-01	Grant Checking			0.00	834.90
02-213-41-726-000	2016 Grant Expenditure			834.90	
TOTALS FOR	State & Federal Grants	0.00	0.00	834.90	834.90
03-101-01-000-001	Checking TD Bank			0.00	17,565.36
03-286-10-110-004-000	Reserve for Animal			4,343.20	
03-286-10-110-006-000	COAH Trust			12,690.15	
03-286-10-110-016-000	Recycling Trust			114.01	
03-286-55-102	Due To State of New Jersey			18.00	
03-289-10-110-011	Public Defender			400.00	
TOTALS FOR	Trust	0.00	0.00	17,565.36	17,565.36
04-101-01-000-001	Checking TD Bank			0.00	350.00
04-215-56-998-000	ORD 16-10 VARIOUS CAPITAL EQUIP & IMPROV			350.00	
TOTALS FOR	General Capital	0.00	0.00	350.00	350.00
Total to be paid from Fund 01 Current Fund				97,186.47	
Total to be paid from Fund 02 State & Federal Grants				834.90	
Total to be paid from Fund 03 Trust				17,565.36	
Total to be paid from Fund 04 General Capital				350.00	

ACCOUNT DESCRIPTION CURRENT YR APPROP. YEAR NON-BUDGETARY CREDIT

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115,936.73

6 A

Checks Previously Disbursed

ACCOUNT	DESCRIPTION	PO#	DETAILS	AMOUNT	DATE
29069	WALMART	PO# 3671	(2) Mini Refrigerators for evidenc	159.68	3/10/2017
31517	TREASURER ST OF NJ/1995 GT	PO# 3680	1995 GREEN TRUST PAYMENT	92,529.98	3/15/2017
39	US BANK CUST	PO# 3679	PREMIUM: 72.20/21 CO406	200.00	3/13/2017
38	US BANK CUST	PO# 3674	PREMIUM: 65/1 CO605	700.00	3/13/2017
37	FWDSL & ASSOC	PO# 3673	PREMIUM: 72.11/16	700.00	3/13/2017
569	TAYLOR, WISEMAN & TAYLOR	PO# 3670	REFUND OF OUTSIDE ESCROW	211.52	3/10/2017
29068	HUNTERDON CENTRAL HIGH SC	PO# 3629	PAYMENT: 03/10/17	3,931,379.00	3/10/2017

4,025,880.18

Total paid from Fund 01 Current Fund 3,931,538.68

Total paid from Fund 03 Trust 94,341.50

4,025,880.18

Total for this Bills List: 4,141,816.91



Township of Raritan

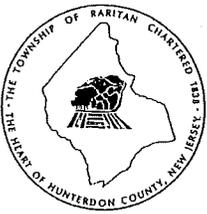
8 B

FINANCE OFFICE
ONE MUNICIPAL DRIVE
FLEMINGTON, N.J. 08822
TEL. (908) 806-6100
FAX (908) 806-3892

TO: Raritan Township Committee, Don Hutchins
FROM: William B. Pandos
SUBJ: Temporary Appropriations and Emergency Temporary Appropriations
DATE: March 21, 2017

As you are aware, the Township is currently under Temporary Appropriations. Early this year a Resolution was passed allowing for a Temporary Budget limited to 26.25% of all appropriations of the preceding year. These appropriations equal approximately three months of regular operating expenses and are about to run out. Budget adoption appears to be a month and a half away. Due to these circumstances we must increase the Temporary Budget. The Temporary Budget also allows for an additional 8.33% of all appropriations of the preceding year, exclusive of any appropriations made for interest and debt redemption charges.

Emergency Temporary Appropriations are used when the Township is expected to enter into a payment prior to the 20CY budget and no adequate provision has been made in the 20CY temporary budget for the aforesaid purpose. It is for this reason we must do an Emergency Temporary Appropriation to accommodate the April 1st payments to the Public Employees Retirement System and the Police and Fireman's Retirement System. The payment due is \$1,389,993 and can not be provided for under the limitations of Temporary Appropriations



RARITAN TOWNSHIP

MEMORANDUM

8 C

TO: Mayor and Township Committee
Bill Pandos , CFO
William Bray , Acting Clerk

FROM: Donald Hutchins , Administrator

RE: Open Government

Below are the items agreed to at the March 7 , 2017 Township Committee Meeting.

- Post all draft resolutions , ordinances and agendas by end of business on Friday before Committee meetings and ensure links to these are prominently displayed on Township website
- Post meeting minutes on Township website within 90 days of meetings.
- Post all employment opportunities on Township website
- Post request for bids on t Township website
- Add names of officials/Department Heads to website
- Post picture of Township Committee with names on Township website



RARITAN TOWNSHIP

MEMORANDUM

8 D

TO: Mayor and Township Committee
Bill Pandos , CFO

FROM: Donald Hutchins , Administrator

RE: Financial Oversight

Below are the items that were discussed and decided by the Township Committee concerning Budget Transfers and financial oversight.

- Budget Transfers will be in two categories and in separate Resolutions
 - A) Emergency
 - B) Unfunded Project
- Unfunded Project Resolutions may be introduced at one meeting and approved at the following meeting
- Memos explaining each line item on Emergency and Unfunded Project Resolutions shall accompany each Resolution
- Annotate the need / reason for each transfer on next years Budget.
- Financial reports to Township Committee in February , May , August and then monthly through December
- Access to MSI will be given each Committee member so they may see Department Spending / Balances in real time.
- Township Committee to be notified when a Department has reached 90% of Budget

William Bray

From: Donald Hutchins
Sent: Thursday, March 9, 2017 10:33 PM
To: William Bray
Subject: Fwd: Interlocal School Resource Officer Agreement

9 A

Please put on 3/21 agenda, thanks

Sent from my Verizon 4G LTE smartphone

----- Original message -----

From: Gymlyn Corbin <gcorbin@hcrhs.org>
Date: 3/6/17 9:08 AM (GMT-05:00)
To: Karen Gilbert <Karen.Gilbert@raritantwpnj.gov>, gtabasko@raritantwppolice.org, Administration <administration@raritantwpnj.gov>
Cc: Johanna Ruberto <johanna.ruberto@hcrhs.org>
Subject: Interlocal School Resource Officer Agreement

Mayor Gilbert, Chief Tabasko, and Mr. Hutchins,

Hunterdon Central Regional High School wishes to extend the Interlocal School Resource Officer Agreement with the Township of Raritan. The terms of the existing agreement have worked very well, meeting the Goals and Objectives of the venture.

The current agreement expires June 30, 2017, and requires any extension to be in writing. I propose a four-year extension, covering the school years 2017-2018, 2018-2019, 2019-2020, and 2020-2021. Keeping in line with budget caps and the current agreement, I propose a 2% per year increase in the payments:

2017-2018	\$86,600
2018-2019	\$88,330
2019-2020	\$90,100
2020-2021	\$91,900

Interim Superintendent Dr. Johanna Ruberto and I are available to discuss this proposal. Please contact me if you have any questions or require additional information. I look forward to hearing from you.

Sincerely,

Gymlyn Corbin

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Gymlyn Corbin
Business Administrator/Board Secretary
Hunterdon Central Regional High School



RARITAN TOWNSHIP MEMORANDUM

9 B

Date: March 15, 2017

To: Mayor and Township Committee
Don Hutchins, Acting Administrator
Bill Pandos, Certified financial officer
William Bray, Acting Township Clerk
Tony Hajjar, Township Engineer

From: Brion Fleming, Acting P.W. Superintendent

Re: Snow Removal Costs
Storm on: 3/10/17
Official Accumulation: 1 inch on road surface
Duration: 8 hours
Services: Salt

OT Hours	8	@ \$65.09	\$520.72
	10	@ \$61.71	\$617.10
	9	@ \$59.04	\$531.36
	3	@ \$32.64	\$97.92
	3	@ \$31.10	\$93.30
	0	@ \$29.54	
Salaried Employees	6	@ 63.46/hr	\$380.76

Total Personnel Cost= \$2,241.16

Salt	208.75 Tons	@57.25/ton	\$ 11,950.94
Calcium Chloride	688.88 Gals	@0.994/gal	\$684.75
Sidewalk Salt (50lb bag)	3.5 Bags	@12.00/bag	\$42.00

Total Material Cost= \$12,677.68

Total Other Expenses(Meals)= \$168.00

TOTAL COST OF SNOW REMOVAL = \$15,086.84

Notes/Comments:

After receiving all weather reports we had employees report in at 4am. Trucks went out and pretreated the roads. Snow started around 6am. Due to pretreating and an early start we were able to keep roads black.



RARITAN TOWNSHIP MEMORANDUM

Date: March 16, 2017

To: Mayor and Township Committee
 Don Hutchins, Acting Administrator
 Bill Pandos, Certified financial officer
 William Bray, Acting Township Clerk
 Tony Hajjar, Township Engineer

From: Brion Fleming, Acting P.W. Superintendent

Re: Snow Removal Costs
 Storm on: 3/14/17
 Official Accumulation: 6.2 Inches
 Duration: 24 Hours
 Services: Salt/Plow

OT Hours	59.25	@ \$65.09	\$3,856.58
	94	@ \$61.71	\$5,800.74
	40.5	@ \$59.04	\$2,391.12
	26.75	@ \$32.64	\$873.12
	30.5	@ \$31.10	\$948.55
	14.50	@ \$29.54	\$428.33
Salaried Employees	32	@ 63.46/hr	\$2,030.72

Total Personnel Cost= \$16,329.16

Salt	525.5 Tons	@57.25/ton	\$ 30,084.88
Calcium Chloride	1,740.75 Gals	@0.994/gal	\$1,730.31
Sidewalk Salt (50lb bag)	4 Bags	@12.00/bag	\$48.00

Total Material Cost= \$31,863.19

Total Other Expenses(Meals)= \$506.00

TOTAL COST OF SNOW REMOVAL = \$48,698.35

Notes/Comments:

DPW started pretreating roads at 12am on 3/14/17. Storm total was 6.2 inches and drifting in some areas. Crews worked until 1am on 3/16/17. Crews finished up and checked all areas on 3/16/17. DPW will be responding to calls until everything is addressed and taken care of. We did not have any major break down. We did have some areas down at times do to vehicle repairs.

Township of Paritan

9 E

**BOARD
OF HEALTH**



ONE MUNICIPAL DRIVE
FLEMINGTON, NJ 08822
(908) 806-6100
FAX (908) 806-7061

HUNTERDON COUNTY

MEMO

TO: Don Hutchins, Administrator, Township Committee

FROM: William Bray, Acting Township Clerk/Board of Health Secretary

DATE: March 16, 2017

RE: Perc Test Witness

Property owners installing a new septic system are required to conduct testing to determine the suitability of the proposed location. This testing is witnessed and report to the Township by an PERC Witness, paid by the Township as an independent contractor.

Due to a high volume of activity and the recent departure of one of our existing witnesses, the Township solicited candidate and selected Sonya Sellers of Alexandria Township. Ms. Sellers is a witness in other nearby communities. Her resume is attached.

TOWNSHIP OF RARITAN
HUNTERDON COUNTY, NEW JERSEY

ORDINANCE NO. 17-03

AN ORDINANCE AMENDING CHAPTER 5.44 ENTITLED "TOWING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY THE DELETION OF SECTION 5.44.080 ENTITLED "MAXIMUM FEE RATE SCHEDULE" AND THE ADDITION OF NEW SECTION 5.44.080 ENTITLED "TOWING AND STORAGE FEE RATE SCHEDULE".

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

SECTION 1. Section 5.44.080 entitled "Maximum fee rate schedule" of Chapter 5.44 entitled "Towing" of *The Revised General Ordinances of the Township of Raritan* is hereby deleted in its entirety and replaced by new Section 5.44.080 entitled "Towing and storage rate schedule" to read as follows:

Section 5.44.080 Towing and storage rate schedule

A. The Police Chief shall recommend to the Township Committee a rate schedule for towing and storage, which rates shall be established by the Township Committee by resolution. A tow operator may only charge the fees established by resolution of the Township Committee, not exceeding the limits set forth therein. No additional fees are permitted other than as set forth below.

B. Fees may be charged for the following:

1. Basic tow, which shall be a flat fee; and
2. In the case of a motor vehicle involved in an accident, the following additional services, if actually performed:
 - a. Waiting time in excess of 15 minutes, which shall be calculated based upon each 15 minutes spent at the site from which a motor vehicle will be towed, with fewer than 15 minutes rounded up to 15;
 - b.. Brush cleaning, including collection of debris that can be picked up by hand, which shall be a flat fee;
 - c.. Site cleanup, which shall be based upon each bag of absorbent used;
 - d. Winching, which shall be based upon each ½ hour spent performing winching;

- e. The use of window wrap, which shall be a flat fee;
- f. Tarping, which shall be a flat fee;
- g. Transmission disconnect, a flat fee, which shall be charged only if a motor vehicle is locked and the tow operator is unable to obtain the keys for the motor vehicle;
- g. Use of a flatbed tow truck, a flat fee, which shall be charged if a motor vehicle can be transported only by a flatbed tow truck;
- i. Use of special equipment other than the first tow truck to recover a motor vehicle that cannot be recovered by winching or pieces of a motor vehicle that cannot be moved by hand, which may be both a labor and equipment charge billed in half-hour increments;
- j. Decoupling;
- k. Storage at a tow operator's storage facility;
- l. More than three trips to the motor vehicle in storage, which may be invoiced as an administrative fee, which shall be a flat fee;
- m. Releasing a motor vehicle from a tow operator's storage facility after normal business hours or on weekends, which shall be a flat fee.

C. A tow operator that engages in private property or other nonconsensual towing shall not charge for the use of a flatbed tow truck if a motor vehicle can safely be towed in an upright position by another type of tow truck, even if the private property tow operator chooses to use a flatbed tow truck for the tow.

D. If a licensed tow operator tows a vehicle at the request of the Police Department, and it is determined by the Police that the vehicle is abandoned, then the police will direct that the vehicle will then be towed to the Police Impound Yard. The Township will only pay the Basic tow rate. All other fees will not apply.

E. A tow operator that engages in private property or other nonconsensual towing shall calculate storage fees based upon full twenty-four-hour periods a motor vehicle is in the storage facility. For example, if a motor vehicle is towed to a storage facility at 7:00 p.m. on one day and the owner of the motor vehicle picks the motor vehicle up before 7:00 p.m. the next day, the tow operator shall charge the owner of the motor vehicle only for one day of storage. If a motor vehicle is stored for more than 24 hours, but less than 48 hours, the tow operator may charge for two days of storage.

Ordinance #17-03
Page 3

F. For the purposes of this section, the following words shall have the following meanings:

1. "Basic tow" shall mean private property towing and other non-consensual towing as defined in this section and other ancillary services that include the following: arriving at the site from which a motor vehicle will be towed; 15 minutes waiting time; hooking a motor vehicle to, or loading a motor vehicle onto, a tow truck; transporting a motor vehicle to a storage facility; unhooking or unloading a motor vehicle from the tow truck; and situating the motor vehicle in the space in which it will be stored. "Basic tow" also includes issuing documents for the release of a motor vehicle to its owner or other person authorized to take the motor vehicle; issuing an itemized bill; three trips to the motor vehicle in storage, which, if applicable, include making a vehicle available to an insurance adjuster or appraiser; issuing documents for the release of a motor vehicle to its owner or other person authorized to take the motor vehicle; and retrieving a motor vehicle from storage during the hours in which the storage facility is open.

2. "Non-consensual towing" shall mean the towing of a motor vehicle without the consent of the owner or operator of the vehicle, including the towing of a motor vehicle when law enforcement orders the vehicle to be towed whether or not the owner or operator consents.

SECTION 2. 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.

SECTION 3. 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.

SECTION 4. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

William Bray
Acting Township Clerk

**TOWNSHIP COMMITTEE OF
TOWNSHIP OF RARITAN**

Karen Gilbert
Mayor

NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced at a Township Committee Meeting by the Township Committee of the Township of Raritan on February 21, 2017 the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of March 7, 2017 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard.

William Bray
Acting Township Clerk

TOWNSHIP OF RARITAN

HUNTERDON COUNTY, NEW JERSEY

ORDINANCE #17-02

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING CHAPTER 15.04 ENTITLED "UNIFORM CONSTRUCTION CODE" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN TO AMEND CERTAIN SECTIONS REGARDING FEES.

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

Section 1. Subsection B.(1)(k) of Section 15.04.030 entitled "Fees-Biannual Fee Schedule Report-New Construction Surcharge" of Chapter 15.04 entitled "Uniform Construction Code" of Title 15 entitled "Buildings and Construction" of *The Revised General Ordinances of the Township of Raritan* is hereby amended to read as follows:

(k) Buildings moved or relocated, unit rate: sixteen dollars (\$16.00) per one thousand dollars (\$1000.00), with a Minimum Fee of ninety-five dollars (\$95.00); unit rate times the total estimated cost of the following:

- [(1) Cost of moving]
- [2](1) Cost of new foundation
- [3](2) All other costs necessary to complete structure

Section 2. Subsection B.(2)(c) of Section 15.04.030 entitled "Fees-Biannual Fee Schedule Report-New Construction Surcharge" of Chapter 15.04 entitled "Uniform Construction Code" of Title 15 entitled "Buildings and Construction" of *The Revised General Ordinances of the Township of Raritan* is hereby amended to read as follows:

(c) The Minimum Fee shall be charged for each residential sewer, septic and water utility connection. The fee for commercial, industrial and private on-site sanitary and storm sewers, domestic water lines and combination mains shall be seventy-five dollars (\$75.00)[for up to and including the first one hundred feet (100'). Each additional ten feet (10') or portion thereof shall be an additional twenty dollars (\$20.00) per ten feet (10') or portion thereof].

Section 3. Subsection B.(2)(d) of Section 15.04.030 entitled "Fees-Biannual Fee Schedule Report-New Construction Surcharge" of Chapter 15.04 entitled "Uniform Construction Code" of Title 15 entitled "Buildings and Construction" of *The Revised General Ordinances of the Township of Raritan* is hereby amended to read as follows:

(d) The Minimum Fee shall be charged for each of the following: furnace, [water heater], swimming pool water heater, water heater coil, ultraviolet system, [central air

conditioning,] hydronic piping, [refrigeration piping,] pool drains, steam shower units, backflow preventer reports and tempering valves. {Gas piping, liquefied] Liquefied petroleum gas piping and fuel oil piping shall be the Minimum Fee and includes provisions for the installation of up to four (4) appliances. The fifth and each additional appliance shall be an additional thirteen dollar (\$13.00) fee.

Section 4. Subsection D. of Section 15.04.030 entitled “Fees-Biannual Fee Schedule Report-New Construction Surcharge” of Chapter 15.04 entitled “Uniform Construction Code” of Title 15 entitled “Buildings and Construction” of *The Revised General Ordinances of the Township of Raritan* is hereby deleted in its entirety. The subsequent subsections are to be renumbered accordingly.

Section 5. Section 15.04.030 entitled “Fees-Biannual Fee Schedule Report-New Construction Surcharge” of Chapter 15.04 entitled “Uniform Construction Code” of Title 15 entitled “Buildings and Construction” of *The Revised General Ordinances of the Township of Raritan* is hereby amended by the addition of new subsection 15.04.050 entitled “Fee waivers” to read as follows:

15.04.050 Fee waivers.

A. The Flemington-Raritan First Aid and Rescue Squad is hereby designated as an instrumentality of the Township of Raritan for the purposes of the State Uniform Construction Code Act, N.J.S.A. 52:27D-119 et seq.

B. All United States veterans shall be granted a twenty-five (25%) percent discount on any municipal fees established by this Chapter for work performed on the primary residence which is owned by such veteran. United States veterans shall still be required to pay any and all State and third party enforcing agency fees, as well as any escrow fees for professional services. For purposes of this Subsection, a United States veteran shall be defined as follows:

1. A person currently serving in the United States Army, Navy, Air Force, Marines or Coast Guard, or their reserve components, or the Army National Guard or the Air National Guard; or
2. A person having served in the United States Army, Navy, Air Force, Marines or Coast Guard for a minimum of four (4) years and having received a general discharge or higher; or
3. A person having served in any combination of United States Army, Navy, Air Force, Marines or Coast Guard, or their reserve components, or the Army National Guard or the Air National Guard for a minimum of six (6) years and having received a general discharge or higher.

C. Any person who has a service-connected disability declared by the U.S. Department of Veterans Affairs, or its successor, to be a total or 100% permanent disability that would entitle them to a property tax exemption pursuant to N.J.S.A. 54:4-3.30, shall be entitled to an exemption from all municipal fees established by this Chapter. Any such person shall still be required to pay any and all State and third party enforcing agency fees, as well as any escrow fees for professional services, except that any such person shall not be charged a construction permit surcharge fee or enforcing agency fee for any construction, reconstruction, alteration or improvement designed and undertaken solely to promote accessibility by the disabled veteran to his own home. N.J.S.A. 52:27D-126e.b.(1).

Section 6. 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 7. The Ordinance shall take effect upon its adoption, passage and publication according to law.

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

ATTEST:

**TOWNSHIP COMMITTEE OF
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced at a Township Committee Meeting by the Township Committee of the Township of Raritan on March 7, 2017 the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of March 21, 2017 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard.

William Bray
Acting Township Clerk

EXPLANATION: This Ordinance authorizes the Township of Raritan to accept a Deed of Right-of-Way Dedication (Autumn Leaf Drive) for a portion of Block 43, Lot 13; a Sight Triangle Easement for a portion of Block 43, Lot 13; a Drainage Easement (Swale 1 and Swale 2) for a portion of Block 43, Lot 13; a Revocable Driveway Connection Easement for a portion of Block 43, Lot 13; a Conservation Easement for a portion of Block 43, Lot 13; and a Stormwater Management Facility Easement - Detention Basin and Access Easement for a portion of Block 43, Lot 13; all from Islamic Center of Hunterdon County, Inc.

TOWNSHIP OF RARITAN

HUNTERDON COUNTY, NEW JERSEY

ORDINANCE #17-04

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF RIGHT-OF-WAY DEDICATION (AUTUMN LEAF DRIVE) FOR A PORTION OF BLOCK 43, LOT 13; A SIGHT TRIANGLE EASEMENT FOR A PORTION OF BLOCK 43, LOT 13; A DRAINAGE EASEMENT (SWALE 1 AND SWALE 2) FOR A PORTION OF BLOCK 43, LOT 13; A REVOCABLE DRIVEWAY CONNECTION EASEMENT FOR A PORTION OF BLOCK 43, LOT 13; A CONSERVATION EASEMENT FOR A PORTION OF BLOCK 43, LOT 13; AND A STORMWATER MANAGEMENT FACILITY EASEMENT – DETENTION BASIN AND ACCESS EASEMENT FOR A PORTION OF BLOCK 43, LOT 13; ALL FROM ISLAMIC CENTER OF HUNTERDON COUNTY, INC.

WHEREAS, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, wishes to accept a Deed of Right-of-Way Dedication for Autumn Leaf Drive conveyed to the Township by Islamic Center of Hunterdon County, Inc., for a portion of Block 43, Lot 13 as shown on the Tax Map of the Township of Raritan (“Property”); and

WHEREAS, the Township Committee also wishes to accept a Sight Triangle Easement for a portion of Block 43, Lot 13; a Drainage Easement (Swale 1 and Swale 2) for a portion of Block 43, Lot 13; a Revocable Driveway Connection Easement for a portion of Block 43, Lot 13; a Conservation Easement for a portion of Block 43, Lot 13; and a Stormwater Management Facility Easement – Detention Basin and Access Easement for a portion of Block 43, Lot 13 (“Easements”), all from Islamic Center of Hunterdon County, Inc.; and

WHEREAS, these dedications are required by Township of Raritan Planning Board Resolution No. 6-2016, R.T.P.B. #SP-620-F; and

WHEREAS, the Islamic Center of Hunterdon County, Inc., agreed to donate the Easements at no cost to the Township; and

WHEREAS, the Township Attorney for the Township of Raritan reviewed the Deed of Dedication and 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 Deed of Dedication and Easements attached hereto and directs its appropriate officials to record same as may be necessary.

This Ordinance shall become effective according to law.

ATTEST:

**TOWNSHIP COMMITTEE OF
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced at a Township Committee Meeting by the Township Committee of the Township of Raritan on March 7, 2017 the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of March 21, 2017 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard.

William Bray
Acting Township Clerk

TOWNSHIP OF RARITAN

COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #17-05

AN ORDINANCE AMENDING CHAPTER 6.08 ENTITLED "DEER MANAGEMENT PROGRAM LOTTERY"

Section 1. Chapter 6.08 entitled "Deer Management Program Lottery" of Title 6 entitled "Animal Control" of *The Revised General Ordinances of the Township of Raritan* is hereby amended by the amendment of Subsection 6.08.010 entitled "Deer Management Program Lottery to read as follows:

6.08.010 Deer Management Program Lottery.

The Township hereby establishes a Deer Management Program Lottery to award permits to allow archery hunting on certain Township-owned properties on an annual basis. [Initially, a total of eleven (11) permits will be awarded as follows:

<u>Property</u>	<u>Block</u>	<u>Lot</u>	<u>Number of Permits Available</u>
Dayton Road Preserve	63.14	23	1
Walnut Brook Preserve (Barton)	13	7	3
Cherryville Hollow Preserve	6.13	51	1
Walnut Brook Preserve (Levico)	25	1	3
Bushkill Brook Preserve (List Road)	15	59	1
Thomason Tract	63	41	2

Thereafter, the number of permits and/or the properties which may be archery hunted pursuant to this Section may be amended by Resolution of the Township Committee.] The number of permits awarded and the properties which may be archery hunted pursuant to this Section shall be designated by Resolution of the Township Committee.

Section II. 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.

Section III. 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 provisions of the Revised General Ordinances of the Township of Raritan are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section IV. This Ordinance shall take effect upon final passage and publication according to law.

Note to Codifier: Deleted provisions indicated by brackets [].

New provision indicated in underline _____.

ATTEST:

**TOWNSHIP COMMITTEE OF
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced at a Township Committee Meeting by the Township Committee of the Township of Raritan on March 7, 2017 the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of March 21, 2017 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard.

William Bray
Acting Township Clerk

TOWNSHIP OF RARITAN

COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #17-06

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A SIGHT TRIANGLE EASEMENT AND A DRAINAGE AND CONSERVATION EASEMENT THROUGH A PORTION OF BLOCK 36.03, LOT 5 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN.

WHEREAS, 22 Royal, LLC received preliminary and final site plan approval and variance relief (the "Approval") from the Raritan Township Planning Board for property identified as Block 36.03, Lot 5 (the "Property") as shown on the Tax Map of the Township of Raritan; and

WHEREAS, the Approval was granted on June 15, 2016 and memorialized by Resolution 18-2016 dated July 27, 2016 (the "Resolution of Approval"); and

WHEREAS, in connection with the Approval as set forth in the Resolution of Approval, 22 Royal, LLC is required to grant to the Township of Raritan a Sight Triangle Easement and a Drainage and Conservation Easement across a portion of the Property; and

WHEREAS, the Township Attorney for the Township of Raritan has reviewed the Sight Triangle Easement and the Drainage and Conservation Easement, copies of which are attached hereto, and finds them to be acceptable.

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

1. The Sight Triangle Easement and a Drainage and Conservation Easement from 22 Royal, LLC to the Township of Raritan are hereby accepted.

2. The Mayor and Township Clerk are hereby authorized to execute the Sight Triangle Easement and Drainage and Conservation Easement.

ATTEST:

**TOWNSHIP COMMITTEE OF
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the foregoing Ordinance was introduced at a Township Committee Meeting by the Township Committee of the Township of Raritan on March 7, 2017 the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of March 21, 2017 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard.

William Bray
Acting Township Clerk

TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #17-07

**CALENDAR YEAR 2017
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND 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 budget up to .5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Raritan in the County of Hunterdon finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3% increase in the budget for said year, amounting to \$435,734 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Raritan in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 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 \$508,356, and that the CY 2017 municipal budget for the Township of Raritan be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation 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**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

NOTICE OF PENDING ORDINANCE

PLEASE TAKE NOTICE that the foregoing ordinance was adopted on first consideration by the Township Committee of the Township of Raritan at a meeting held on March 21, 2017 and the same was then ordered to be published according to law with a public hearing and a vote scheduled for the meeting of April 4, 2017 beginning at 7:00 p.m. at the Municipal Building, One Municipal Drive, Raritan Township (Flemington), N.J. at which time all interested persons will be heard.

William Bray
Acting Township Clerk

William Bray

From: Fred Brody <fred@brodybd.com>
Sent: Thursday, March 9, 2017 9:01 AM
To: William Bray
Cc: Rob Sokota; Cristina Iacona
Subject: Cross River Fiber - Request for Municipal Consent from Raritan Township
Attachments: Cover Letter_ Request for Municipal Consent 12.15.pdf; Sample Right of Way Use Resolution (word).docx; Cross River Fiber_Rights of Way Use Agreement Township_TEMPLATE (7_15).docx; BPU Order Approving Cross River Fiber CPCN 6-18-12.pdf; Federal and State Statutes 3.5.13.pdf; CRF-brochure-2015.pdf

Importance: High

11 A

Bill,

I am following up a conversation I had yesterday morning with Carol. She suggested I send you the information in this e-mail for review by the Mayor and Township Committee.

It's a request for municipal consent between Raritan Township and Cross River Fiver LLC, a public utility that is building a broadband "backbone" in parts of NJ that is for commercial use only.

I have attached the documents that support this request for an agreement to install fiber optic cable in your municipal Right of Way. They include a cover letter explaining the request, a draft resolution and draft agreement, the company's BPU Authorization, a document of laws that govern the industry and a company brochure that shows their existing network. The company will be looking to attach their "data" fiber optic cable (not telephone or television) to existing telephone/utility poles.

This agreement is required by the utility companies because their infrastructure is in your right of way. Please understand that we must first have this agreement in place with your town before a route can be designed. Once the agreement is in place, Cross River Fiber will negotiate fees with the utility companies who they pay to occupy space on their infrastructure.

Please review this information and do not hesitate to contact me with any questions. I will follow up in a few days to be sure you have received this.

Thanks in advance for your time and attention to this matter. I hope you have a great day today!

Be well,
Fred

Fred Brody
Brody Business Development, LLC for Cross River Fiber LLC
228 Cold Indian Springs Road
Wayside, NJ 07712
P>732-643-0115
E>fred@brodybd.com
www.BrodyBD.com



STATE OF NEW JERSEY
Board of Public Utilities
44 South Clinton Avenue, 9th Floor
Post Office Box 350
Trenton, New Jersey 08625-0350
www.nj.gov/bpu/

TELECOMMUNICATIONS

IN THE MATTER OF THE PETITION OF CROSS)
RIVER FIBER, INC FOR AUTHORITY TO PROVIDE)
LOCAL EXCHANGE AND INTEREXCHANGE)
TELECOMMUNICATIONS SERVICES THROUGHOUT)
THE STATE OF NEW JERSEY)

ORDER

DOCKET NO. TE12040297

Parties of Record:

William K. Mosca, Jr., Bevan, Mosca, Giuditta & Zarillo, P.C. for Petitioner
Stefanie A. Brand, Esq., Director, Division of Rate Counsel

BY THE BOARD:

Pursuant to N.J.S.A. 48:2-1 et seq. and Section 253 of the Federal Telecommunications Act of 1996, 47 U.S.C. § 151 et seq., and by letter dated April 2, 2012, Cross River Fiber, Inc. ("Petitioner" or "Cross River") filed a Verified Petition with the New Jersey Board of Public Utilities ("Board") requesting authority to provide both resold and facilities-based local exchange and interexchange telecommunications services throughout the State of New Jersey.¹ Petitioner has submitted its financial information under seal and has filed a sworn affidavit with substantiation for confidential treatment in accordance with the Board's rules for determining confidentiality, N.J.A.C. 14:1-12.1 et seq. and in compliance with the Open Public Records Act, N.J.S.A. 47:1A-1 et seq.

Cross River is a privately held company organized under the laws of the State of Delaware. Vincenzo Clemente is the President and Chief Executive Officer of the company and holds a majority ownership interest in Cross River whose principal offices are located at 33 Wood Avenue South, Suite 600, Iselin, New Jersey 08830.

Petitioner has submitted copies of its Certificate of Incorporation from the State of Delaware and its New Jersey Certificate of Authority to operate as a Foreign Corporation. Petitioner plans initially to install and lease dark fiber facilities to enterprise customers throughout New Jersey.

¹ Cross River Fiber, LLC, which holds a certificate of authority to operate as competitive local exchange carrier in New Jersey under Docket No TE11050320 issued on July 14, 2011, plans to surrender its authority within a reasonable time after Cross River receives the requested authority to provide Telecom Service throughout New Jersey. This will permit Cross River Fiber, LLC sufficient time to transfer and wind down its operations in favor of Cross River.

The Company states that it has not been denied authority to provide telecommunications services, its authority has not been revoked in any jurisdiction and it has not been the subject of any civil or criminal proceedings. Petitioner plans to enter into an interconnection agreement with New Jersey Incumbent Local Exchange Carriers ("ILECs") as necessary to support its initial provision of dark fiber services and its future provision of lit fiber services and resold ILECs services.

Petitioner seeks authority to provide both resold and facilities-based local exchange and interexchange telecommunications services to enterprise and carrier customers requiring fiber optic connectivity between business operations and data centers throughout the State of New Jersey by utilizing its owned facilities and facilities leased from New Jersey ILECs. Petitioner plans to offer dark fiber, fractional dark fiber and interconnection to third party carriers in the State of New Jersey. The Petitioner is engaged in the installation of fiber optic technology for the communications industry, both in the public and private sector. Its operation includes, but is not limited to, activities as a contractor in the Northeast Region. Petitioner's plans include construction of forty-five (45) fiber optic route miles to connect to strategic datacenters, enterprise, government, healthcare and education facilities. Petitioner expects its current facilities construction plan to be completed by the fourth quarter of 2012, and depending upon customer's acceptance of Petitioner's offer, Petitioner will consider further expansion of its fiber optic facilities to include more of the above mentioned facilities throughout New Jersey. Petitioner further states that after its dark fiber services are established, Petitioner may extend its service offering to include lit fiber service which includes, but is not limited to, private lines, end-user voice and data applications, including a full range of vertical features and functions such as call waiting and forwarding, conference calling, emergency services, etc., and full array resold ILEC services over its own facilities and facilities leased from New Jersey ILECs. Petitioner maintains a toll-free number for customer service inquiries. Petitioner will file a proposed tariff with the Board.

Petitioner requests a waiver of N.J.A.C. 14:1-4.3, which requires that books and records be maintained in accordance with the Uniform System of Accounts ("USOA"). In the interest of efficiency and to prevent undue burden, Petitioner requests permission to maintain its books and records in accordance with Generally Accepted Accounting Principles. Petitioner also states, upon written notice from the Board and/or Board Staff, it will provide its books and records at such time and place within New Jersey as the Board may designate.

Petitioner asserts that approval of its Petition will further the public interest by expanding the availability of competitive telecommunications services in the State of New Jersey. Petitioner also asserts that approval of this Petition will provide New Jersey customers with access to new technologies and service choices and will permit customers to achieve increased efficiencies and cost savings.

With regard to its technical and managerial qualifications, Cross River states that it possesses the technical capability and managerial qualifications to operate and manage its telecommunications operations in the State of New Jersey. Petitioner has submitted the professional biographies of its key personnel, who, according to Cross River, are well qualified to execute its business plans and have extensive managerial and technical experience in the telecommunications industry.

By letter dated April 24, 2012, the Division of Rate Counsel submitted comments with the Board recommending that the Board approve the Petition.

DISCUSSION

On February 8, 1996, the Federal Telecommunications Act of 1996, P.L. 104-104, 110 Stat. 56, codified in scattered sections of 47 U.S.C. § 151 et seq., was signed into law, removing barriers to competition by providing that "[n]o State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service." 47 U.S.C. § 253(a).

Any grant of authority is subject to the right of the Board as the state regulatory authority to impose requirements necessary to protect the public safety and welfare, ensure the continued quality of telecommunications services, and safeguard the rights of consumers. 47 U.S.C. § 253(c).

In considering this Petition, the Board recognizes its obligation not to prohibit entry into intrastate telecommunications markets of qualified applicants. 47 U.S.C. § 253(a). The Board also considers the New Jersey State Legislature's declaration that it is the policy of the State to provide diversity in the supply of telecommunications services and the Legislature's findings that "competition will promote efficiency, reduce regulatory delay, and foster productivity and innovation" and "produce a wider selection of services at competitive market-based prices." N.J.S.A. 48:2-21.16(a)(4); N.J.S.A. 48:2-21.16(b)(1) and (3).

Therefore, having reviewed Cross River's Petition and the information supplied in support thereof, as well as Rate Counsel's comments, the Board FINDS that the Petitioner is in compliance with the Board's filing requirements to provide telecommunications services in New Jersey. Accordingly, the Board HEREBY AUTHORIZES the Petitioner to provide local exchange and interexchange telecommunications services throughout the State of New Jersey.

The Board also FINDS that in accordance with N.J.S.A. 48:2-59 and 48:2-60 and N.J.S.A. 52:27EE-52, the Petitioner is subject to an annual assessment by both the Board and the Division of Rate Counsel, respectively. The Board notes that the Petitioner will not be permitted to offer dark fiber, fractional dark fiber and lit fiber telecommunications services until a tariff is filed with the Board. However, Petitioner won't be relieved from its responsibility to file an Annual Report and a Statement of Gross Intrastate Revenues from Operations form for the preceding calendar year and payment of annual assessment to both the Board and the New Jersey Division of Rate Counsel.

The Board HEREBY ORDERS that:

- 1) Petitioner shall file its tariff with the Board.
- 2) Pursuant to N.J.S.A. 48:2-16(2)(b) and N.J.A.C. 14:3-6.3, Petitioner shall file an annual report as of December 31 of each year, which is due on or before March 31 of the following year. Pursuant to N.J.S.A. 48:2-16.3, if Petitioner fails to file an annual report by the due date, Petitioner shall be subject to a penalty of \$5.00 for each day thereafter until such report is filed.
- 3) Pursuant to N.J.S.A. 48:2-62, Petitioner shall file a statement of gross intrastate revenues from operations form (AR3-1) as of December 31 of each year, which is due on or before June 1 of the following year.

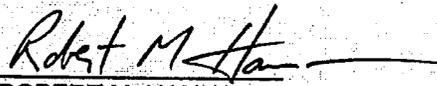
On or before February 1st of each year, the Petitioner will receive from the Division of Audits an annual report package and a statement of gross intrastate revenues from operations form for the preceding calendar year. The purpose of these documents is to report the Petitioner's financial information and gross intrastate revenues from operations as of December 31 of each year. The annual report and a statement of gross intrastate revenues from operations form are due on or before March 31 and June 1 of the following year, respectively. If Petitioner does not receive these documents, it is Petitioner's responsibility to obtain them from the Board. It is also the Petitioner's responsibility to ensure timely filing of these reports.

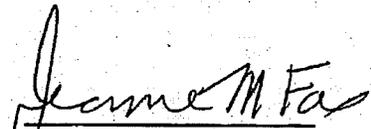
Regarding the Petitioner's request for waiver of the Board rules, the Board FINDS that the Petitioner has demonstrated good cause why the Board should grant relief from its requirements that the Petitioner maintains its books and records in accordance with USOA.

Therefore, subject to the Petitioner's continuing responsibility to provide the Board books and records upon 48 hours notice, and in the manner requested, and to pay to the Board all expenses or charges incurred by the Board for any investigation or examination of these books and records, the Board APPROVES the Petitioner's request for the exemption from maintaining its books and records in accordance with USOA.

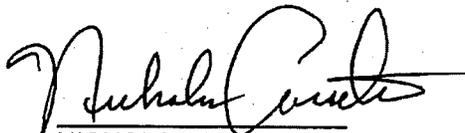
DATED: 6/18/12

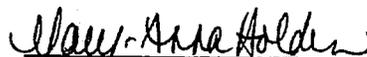
BOARD OF PUBLIC UTILITIES
BY:


ROBERT M. HANNA
PRESIDENT


JEANNE M. FOX
COMMISSIONER

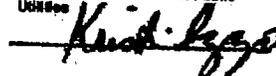

JOSEPH L. FIORDALISO
COMMISSIONER


NICHOLAS ASSELTA
COMMISSIONER


MARY-ANNA HOLDEN
COMMISSIONER

ATTEST: 
KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



IN THE MATTER OF THE PETITION OF CROSS RIVER FIBER, INC FOR
AUTHORITY TO PROVIDE LOCAL EXCHANGE AND
INTEREXCHANGE TELECOMMUNICATIONS
SERVICES IN THE STATE OF NEW JERSEY

DOCKET NO. TE12040297

SERVICE LIST

1. Petitioner's Contact Person:

Vincenzo Clemente, President and
Chief Executive Officer
Cross River Fiber, Inc.
33 Wood Avenue South, Suite 600,
Iselin, New Jersey 08830

4. Rate Counsel:

Stefanie A. Brand, Esq.
Director, Division of Rate Counsel
31 Clinton Street, 11th Floor
P. O. Box 46005
Newark, New Jersey 07101

2. Petitioner's Attorney:

William K. Mosca, Jr.
Bevan, Mosca, Giuditta & Zarillo, P.C.
222 Mount Airy Road, Suite 200
Basking Ridge, New Jersey 07920

5. Deputy Attorney General:

Alex Moreau, DAG
Department of Law & Public Safety
Division of Law
124 Halsey Street, 5th Floor
P. O. Box 45029
Newark, New Jersey 07101

3. Board's Staff:

Dennis J. Moran
Director, Division of Audits
Board of Public Utilities
44 South Clinton Avenue, 9th Floor,
Post Office Box 350
Trenton, New Jersey 08625-0350

6. Board's Staff:

Anthony Centrella
Director, Division of Telecommunications
Board of Public Utilities
44 South Clinton Avenue, 2nd Floor,
Post Office Box 350
Trenton, New Jersey 08625-0350

CROSSRIVER FIBER

PERFORMANCE TECHNOLOGY DEMANDS MET. Your business requires technology that enables fast and secure data transmission of your critical information. Control your company's ability to communicate at the speed of light with high bandwidth solutions through Cross River Fiber's robust fiber optic network. Whether you're seeking a specific network solution or your business demands security, diversity, scalability, ultra-low latency, unlimited bandwidth, increased data speed - we have you covered.

CROSS RIVER FIBER PARTNERED WITH CONQUEST EQUITABLE PARTNERS in 2011 to further support the industry's growing demands. Alongside management, Redington, a trusted growth equity investor, will help drive the next phase of expansion. The investment will boost Cross River Fiber's development of its network into new markets by focusing on increasing demands for high capacity, carrier-class bandwidth services in the financial, carrier, healthcare, education, government and enterprise sectors.

WE ARE CROSS RIVER FIBER

As a premier, New Jersey-based boutique telecommunications solutions provider, we design, construct and maintain our own independent network infrastructure. We provide the most advanced and secure high-speed fiber optic network solutions to meet the demands and requirements of today's industry needs. We are first and foremost a customer service driven organization. As a client, you will work directly with us and we work directly for you.

For more information visit:

WWW.CROSSRIVERFIBER.COM

Stay Connected:



ENTERPRISE & CARRIER solutions. Ultra-LOW LATENCY. DARK FIBER networks. Government HEALTH CARE, Education.

BEYOND LIGHT

YOUR PERFORMANCE DEPENDS ON

Cross River Fiber has a unique and customized discipline in deploying network infrastructure. Our comprehensive approach to network service design and implementation concentrates on the current fiber landscape offered by other carriers and our method of best pricing it.

SERVICES

Provides an ultra-scalable, unlimited bandwidth connectivity solution that offers total control.

Private, conditioned wave services with fully managed optical spans.

Layer 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

Private and protected Layer 1 services.

Managed or unmanaged interconnect construction.

Unparalleled encryption services offered with a network that is built, able to evolve, with security in mind.

supporting the increasing demand for

video, IP, cloud, etc.

CROSS RIVER FIBER NETWORK MAP

- MAHWAH, NJ
- CLIFTON, NJ
- SECAUCUS, NJ
- WEEHAWKEN, NJ
- JERSEY CITY, NJ
- NEWARK, NJ
- CARTERET, NJ
- WOODBURGE, NJ
- EDISON, NJ
- DOVER, NJ
- CEDAR KNOLLS, NJ
- PISCATAWAY, NJ
- SOMERSET, NJ
- BRIDGEWATER, NJ
- CHESTER, NJ
- PARSIPPANY, NJ
- MORRISTOWN, NJ
- FLANDERS, NJ
- NEWTON, NJ
- FRANKLIN, NJ
- ANDOVER, NJ
- SPARTA, NJ
- WAYNE, NJ
- TOTOWA, NJ
- WHIPPANY, NJ
- HACKETTSTOWN, NJ
- ROCKAWAY, NJ
- CRF 1400 MONOPOLE
- CRF 1700 MONOPOLE

in developing fiber networks within the New Jersey and New York metro areas, advanced connectivity to critical loads, data centers, financial exchanges, and customer location.

include industries such as carrier, financial, healthcare, education, government and enterprise companies.

is a direct result of working with clients to understand and meet their unique business, technical, and requirements.

RIGHTS-OF-WAY USE AGREEMENT

THIS RIGHTS-OF-WAY USE AGREEMENT ("Use Agreement") is dated _____ (the "Effective Date"), and entered into by and between the Township of _____ ("Township"), a New Jersey Township corporation, having its address at _____ and Cross River Fiber LLC ("Cross River Fiber") with offices located at 461 Headquarters Plaza, Morristown, NJ 07960.

RECITALS

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State of New Jersey by Order of Approval in Docket No. TE11050320 on July 14, 2011, Docket No. TE12040297 on June 18, 2012 and Docket No. TM14080906 and intends to provide telecommunication services in accordance with that Order and the rules and regulations of the Federal Communications Commission and the New Jersey Board of Public Utilities; and

WHEREAS, Pursuant to such authority granted by the New Jersey Board of Public Utilities, Cross River Fiber may locate, place, attach, install, operate and maintain facilities within Public Rights-of-Way for purposes of providing telecommunications services; and

WHEREAS, Cross River Fiber proposes to place its telecommunication facilities aerially on existing utility poles or in underground conduit in the Public Rights-of-Way within the Township for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system.

WHEREAS, it is in the best interests of the Township and its citizenry for the Township to

grant consent to Cross River Fiber to occupy said Public Rights-of-Way within the Township for this purpose.

WHEREAS, the consent granted herein is for the non-exclusive use of the Public Rights-of-Way within the Township for the purpose of owning, constructing, installing, operating, and maintaining a telecommunications system.

NOW THEREFORE, in consideration of the mutual covenants and obligations hereinafter set forth, the Township and Cross River Fiber hereby agree to and with each other as follows:

Section 1. Definitions

- a. "BPU" is the New Jersey Board of Public Utilities.
- b. "Cross River Fiber" is the grantee of rights under this Use Agreement and is known as Cross River Fiber, their successors and assigns.
- c. "Township" is the grantor of rights under this Use Agreement and is known as the Township of _____, State of New Jersey.
- d. "Public Utility" means any public utility defined in N.J.S.A. 48:2-13.
- e. "Public Rights-of-Way" means the space in, upon, above, along, across,, over, and through any public land, road, street or highway of the Township, including lands with public utility facilities as the same now or hereafter may exist, that are under the jurisdiction of the Township. This term shall not include Township, state, or federal rights-of-way or any property owned by any person or agency other than the Township, except as provided by applicable Laws or pursuant to an agreement between the Township and any such person or agency.
- f. "Utility Pole" means, in addition to its commonly accepted meaning, any wires or cable connected thereto and any replacement thereof which are similar in construction and use.

Section 2. Grant of Consent.

The Township hereby grants Cross River Fiber its Township consent for the non-exclusive use

of the Public Rights-of-Way within the Township for the purpose of owning, constructing, installing, operating, and maintaining a telecommunications system.

Section 3. Public Purpose.

It is deemed to be in the best interests of the Township and its citizenry, particularly including commercial and industrial citizens, for the Township to grant consent to Cross River Fiber to occupy said Public Rights-of-Way within the Township for this purpose.

Section 4. Scope of Use Agreement.

Any and all rights expressly granted to Cross River Fiber under this Use Agreement, which shall be exercised at Cross River Fiber's sole cost and expense, shall be subject to the prior and continuing right of the Township under applicable laws to use any and all parts of the Public Rights-of-Way exclusively or concurrently with any other person or persons, and shall be further subject to all deeds, easements, dedications, conditions, covenants, restrictions, encumbrances, and claims of title of record which may affect such Public Rights-of-Way. Nothing in this Use Agreement shall be deemed to grant, convey, create or vest in Cross River Fiber a real property interest in land, including any fee, leasehold interest, easement, or any other form of interest or ownership.

The Township hereby authorizes and permits Cross River Fiber to enter upon the Public Rights-of-Way and to attach, install, operate, maintain, remove, reattach, reinstall, relocate and replace its telecommunications facilities, in or on Utility Poles or other structures owned by public utility companies, or others, or to be constructed by Cross River Fiber located within the Public Rights-of-Way as may be permitted by the property owner, as the case may be.

Section 5. Compliance with Ordinance

Cross River Fiber shall comply with all applicable existing ordinances of the Township as may

be amended from time to time and with all future ordinances as may be enacted to the extent such ordinances are consistent with state and federal law.

Section 6. Duration of Consent

The non-exclusive Township consent granted herein shall expire fifty (50) years from the Effective Date of this Use Agreement.

Section 7. Indemnification

Cross River Fiber, its successors, assigns, sub-contractors, agents, servants, officers, employees, designees, guests and invitees, hereby indemnify, defend and hold harmless the Township, its successors and assigns, elected officials, officers, employees, servants, contractors, designees and invitees from and against any and all personal injury and property damage claims, demands, suits, actions at law or equity or otherwise, judgments, arbitration determinations, damages, liabilities, decrees of any person(s) or entities claiming to be or being harmed as a result of Cross River Fiber actions under this Use Agreement and costs in connection therewith. This indemnification shall specifically include, but not be limited to, any and all costs, reasonable attorneys fees, court costs and any other expenses that may be incurred by the Township in connection with any and all claims, demands, suits, actions at law or equity or otherwise and/or arbitration proceedings which may arise in connection with Cross River Fiber activities pursuant to the rights granted in this Use Agreement.

Section 8. LIMITATION OF LIABILITY

NEITHER PARTY SHALL BE LIABLE TO THE OTHER PARTY FOR ANY INDIRECT, INCIDENTAL, PUNITIVE OR CONSEQUENTIAL DAMAGES. ALL DAMAGES ARISING FROM ANY CLAIM OR CAUSE OF ACTION SHALL BE LIMITED TO PROVEN DIRECT DAMAGES.

Section 11. Assignment.

Cross River Fiber may not assign this Use Agreement without the written consent of the Township, which consent shall not be unreasonably withheld or delayed, except that Cross River Fiber shall have the right, upon notice to the Township, to assign this Use Agreement without the Township's consent if such assignment is approved by the BPU.

Section 12. Successors and Assigns.

The terms and conditions herein contained shall be binding upon and inure to the benefit of the successors and assigns of the parties hereto.

Section 13. Governing Law.

This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of New Jersey.

Section 14. Incorporation of Prior Agreements.

This Agreement contains the entire understanding of the parties hereto with respect to the subject matter hereof, and no prior other written or oral agreement or undertaking pertaining to any such matter shall be effective for any purpose.

Section 15. Modification of Agreement.

This Agreement may not be amended or modified, nor may any obligation hereunder be waived orally, and no such amendment, modification or waiver shall be effective for any purpose unless it is in writing and signed by the party against whom enforcement thereof is sought.

Section 16. Invalidity.

If any provision hereof shall be declared invalid by any court or in any administrative proceedings, then the provisions of this Agreement shall be construed in such manner so as to preserve the validity hereof and the substance of the transaction herein contemplated to the extent possible. The

headings are provided for purposes of convenience of reference only and are not intended to limit, define the scope of or aid in interpretation of any of the provisions hereof.

Section 17. Counterparts.

This Agreement may be executed and delivered in several counterparts, each of which, when so executed and delivered, shall constitute an original, fully enforceable counterpart for all purposes.

IN WITNESS WHEREOF, this Use Agreement has been executed as of the date set forth below.

Cross River Fiber LLC

Robert Sokota, Chief Administrative Officer and General Counsel

Dated: _____

The Township of _____

NAME & TITLE: _____

Dated: _____

[CITY / TOWNSHIP / BOROUGH OF _____]
RESOLUTION# _____

RESOLUTION APPROVING RIGHT-OF-WAY USE TO CROSS RIVER FIBER

WHEREAS, Cross River Fiber LLC ("Cross River Fiber"), seeks to place its telecommunication facilities aerially on existing utility poles or in an underground conduit in the Public Rights-of-Way within the [City / Township / Borough of _____] for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

WHEREAS, N.J.S.A. 48:3-19 requires Cross River Fiber to obtain the consent of the [City / Township / Borough of _____] for the joint use of any existing utility poles; and

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and

WHEREAS, it is in the best interests of the [City / Township / Borough of _____] and its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber.

NOW THEREFORE BE IT RESOLVED, by the [City / Township / Borough Council] of the [City / Township / Borough of _____], that [City / Township / Borough of _____] is hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution.

Federal Law

Federal Telecommunications Act of 1996: “No state or local statute or regulation, or other state or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide interstate or intrastate telecommunications service.” 47 U.S.C. 253(a).

U.S. Constitution: In addition to the aforementioned statutory proscription, the Constitution affords carriers further protection under Article 1, Section 8, clause 3 (“commerce clause”), which gives the Congress exclusive jurisdiction over interstate commerce. In order to deny access, while approving other carriers, e.g. Verizon, a local governing body would have to demonstrate a compelling interest to support a denial.

State Law

N.J.S.A. 48:2-13: Grants NJBPU jurisdiction over utilities, including telecommunications companies.

N.J.S.A. 48:2-14: Recognizes municipal authority, but clearly vests exclusive jurisdiction with the NJBPU by requiring NJBPU approval of any franchise or privilege granted by a municipality to a utility. Generally accepted that a carriers Order of Approval that authorizes it to provide service (see below) serves as such approval.

New Jersey Telecommunications Act of 1992 (N.J.S.A. 48:2-21.16 et seq.) Grants authority to the NJBPU to allow competition by CLECs in the local and interexchange markets.

NJBPU Order of Approval Authorizing Cross River Fiber to Provide Telecommunications Services Throughout the State of New Jersey Docket No. TE11050320: States that the Company has “demonstrated that it possesses the requisite financial, technical and managerial resources, which are necessary to provide telecommunications services in New Jersey.” The Company’s authority to provide such services is limited only to the extent that it must file the required tariff and of course, adherence to State statutes and regulations. One such statute is N.J.S.A. 48:3-19 which requires the consent of a carrier to obtain the consent of the municipality for the use by that carrier of the utility poles of another company in order to locate, place, attach, install, operate and maintain its facilities for purposes of providing telecommunications services. Further, municipalities are prohibited under N.J.S.A. 54:30A-124 (a) from imposing any tax, fee or assessment on a telecommunications company as a condition of a grant to the company to use the public right-of-way. However, a municipality may impose “reasonable fees” for actual services made by any municipal governmental agency.



March 9, 2017

Mayor and Township Council
Raritan Township
One Municipal Drive
Flemington, NJ 08822

Re: Request for Municipal Consent

Dear Mayor and Township Council,

I am writing to request municipal consent from Raritan Township for our company, Cross River Fiber to use the public right-of-way in order to attach or install our telecommunications fiber optic cable to existing utility poles or conduits. Enclosed you will find copies of a sample resolution, our BPU approval as well as a copy of applicable federal and state statutes that govern our industry.

As a telecommunications utility, we have been authorized by the Board of Public Utilities to provide local telecommunications services throughout the State of New Jersey. Pursuant to such authority, we may locate, place, attach, install, operate and maintain fiber optic facilities within the municipal, county and state right-of-way for the purpose of providing telecommunications services. As such, in accordance with N.J.S.A. 48:3-19, we request the consent of Raritan Township to locate, operate and maintain fiber optic cable within the municipal right-of-way throughout the Township for us by our commercial customer. We are respectfully requesting that this permission be granted within 60 days of receipt of this letter.

Our efforts to expand our existing fiber optic infrastructure throughout the State of New Jersey and through Raritan Township will allow us to offer additional competitive services of all commercial and municipal customers. Our customers include other telecommunications carriers, enterprise and commercial businesses, municipal governments, hospitals and local school districts. We provide our customers with a network infrastructure which aggregates voice, internet and private data on high bandwidth fiber optic cable that spans from corporate campuses to metropolitan and inner-city networks

My office will be contacting you to follow up on your receipt of this information and to discuss the next steps to receive your municipal consent. In the meantime, should you have any questions, do not hesitate to contact me at 732-643-0115. We will be happy to make an informal presentation to you and your board at an appropriate upcoming meeting and to answer any questions they may have at that time.

Sincerely,

Fred Brody,
Government Affairs
732-643-0115



VETERANS OF FOREIGN WARS OF THE U.S.
FLEMINGTON POST NO. 7856
28 Park Avenue
Flemington, New Jersey 08822

TO
MAYOR
KAREN GILBERT
BARITAN TOWNSHIP

WE WOULD LIKE PERMISSION TO USE
HENAPE PARK FOR OUR EASTER EGG HUNT
FOR THE KIDS. THE DATE IS APRIL 8TH
RAIN DATE APRIL 9TH, THE TIME IS FROM
11:00 A.M. TO ABOUT 1:30 P.M. WE WILL CLEAN
UP BEFORE WE LEAVE.

I WILL BE SENDING YOU A INSURANCE
OF CERTIFICATE. ~~PLEASE~~ PLEASE CALL ME
ON MY CELL 908-391-3399 ROBERT GODOWN SEC

THANK YOU
SINCERLY
Robert Godown
V.F.W 7856

FLEMINGTON-RARITAN REGIONAL BOARD OF EDUCATION
REGULAR MEETING
February 27, 2017
MINUTES

The Regular Meeting of the Flemington-Raritan Regional Board of Education was called to order in conformance with the "Sunshine Law" by the Board President at 6:48 p.m. in Room D111 at the J.P. Case Middle School.

<u>Members Present</u>		<u>Members Absent</u>
Jessica Abbott	Michael Stager	Tim Bart
Sandra Borucki	Christopher Walker	Dennis Copeland
Marianne Kenny	Anna Fallon	Laurie Markowski

On the motion of Ms. Borucki, seconded by Ms. Abbott, the meeting was adjourned, unanimously viva voce, at 6:49 p.m. to executive session in Room D111.

Be It Resolved, by the Flemington-Raritan Regional Board of Education that it does hereby determine that it is necessary to meet in executive session to discuss the matters stipulated, in conformance with the Open Public Meetings Act, Chapter 231 P.L. 1975.

HIB Hearing

The matters discussed will be made public when confidentiality is no longer required and formal action pursuant to said discussion shall take place only at a meeting to which the public has been invited.

The Board returned to public session at 7:25 p.m. in Room B132.

SUPERINTENDENTS REPORT

None

CITIZENS ADDRESS THE BOARD

Marie Corfield, teacher, had a question on the Regulation regarding class trips and students needing medicine. She is concerned with Federal law regarding children with disabilities. Dr. Caulfield explained her understanding. Dr. Kenny noted the Committee will review this again to be sure the Regulation is appropriate.

On the motion of Ms. Abbott, seconded by Mr. Stager, minutes of the Executive Session on February 13, 2017* were approved viva voce.

***Ms. Borucki & Dr. Kenny abstained.**

On the motion of Ms. Abbott, seconded by Mr. Stager, minutes of the Regular Meeting on February 13, 2017* were approved viva voce.

***Ms. Borucki & Dr. Kenny abstained.**

REPORTS OF THE SECRETARY AND TREASURER OF SCHOOL MONIES

The Superintendent of Schools recommends that the Board of Education accept the monthly financial reports of the School Business Administrator/Board Secretary and the Treasurer of School Monies for the month of January 2017 further certifies that no major account or fund has been over expended in violation of 6A: 23-2.11(b), and that sufficient funds are available to meet the district's known financial obligations for the remainder of the fiscal year 2016-2017.

The School Business Administrator/Board Secretary certify that no line item account has encumbrances and expenditures, which in total exceed the line item appropriation in violation of 6A:23-2.11(a), as of January 31, 2017. As of these dates, sufficient funds are available to meet the district's known financial obligations for the remainder of school year 2016-2017.

On the motion of Ms. Borucki, seconded by Dr. Kenny, approval was given to accept the Reports of the Secretary and Treasurer of School Monies for the month of January 2017.

Aye: Ms. Abbott Mr. Stager Nay: 0 Abstain: 0
 Ms. Borucki Mr. Walker
 Dr. Kenny Ms. Fallon

PERSONNEL

The next meeting will be March 23, 2017.

THE SUPERINTENDENT OF SCHOOLS RECOMMENDS THE FOLLOWING RESOLUTIONS FOR APPROVAL:

All Personnel items were approved under one motion made by Mr. Stager, seconded by Ms. Borucki.

Certified Staff – Appointments, Resignations & Leaves of Absence

- Approval was given to employ the following leave replacement for the 2016-2017 school year. Fingerprints and health exam required.*

Item	Last Name	First Name	Loc.	Position/Replacing	Effective Date	Salary/Degree/Step	Certification/College
1.	O'Connell	Kelly	CH	Resource Room/ Ashley Totten	March 1, 2017	Sub Per Diem Pay (Day 1-20) \$50,870(prorated)/BA/ Step 1/(Day 21+)	Teacher of the Handicapped/CEAS- Elementary School Teacher/Villanova University

*Mr. Walker abstained.

- Approval was given for the following staff member to take a leave of absence, as follows:*

Item	Last Name	First Name	Loc.	Position	Leave	Anticipated Dates
1.	Schuddeboom	Jake	CH	Grade 4 Teacher	Medical	February 23, 2017-March 3, 2017-Paid Time Off

*Mr. Walker abstained.

- Approval was given to amend the following motion from January 30, 2017:*

to confirm the following staff members to take a leave of absence as follows:

Item	Last Name	First Name	Loc.	Position	Leave	Anticipated Dates
2.	Yoos	Dorothy	CH	Stretch	Medical	December 7, 2016-January 3, 2017 January 4, 2017-March 21, 2017-FMLA

to read:

Item	Last Name	First Name	Loc.	Position	Leave	Anticipated Dates
2.	Yoos	Dorothy	CH	Stretch	Medical	December 7, 2016-January 3, 2017 January 4, 2017-February 23, 2017-FMLA

*Mr. Walker abstained.

Return date altered

- Approval was given to amend the following motion from January 30, 2017:*

to confirm the voluntarily transfer of Erin McNamara, 1.0 Reading Recovery Teacher at Copper Hill School, to .6 Reading Recovery and .4 Stretch Teacher at Copper Hill School, effective January 12, 2017 through March 22, 2017. Effective March 23, 2017, Erin McNamara will return to her 1.0 Reading Recovery Teacher position at Copper Hill School.

to read:

to confirm the voluntarily transfer of Erin McNamara, 1.0 Reading Recovery Teacher at Copper Hill School, to .6 Reading Recovery and .4 Stretch Teacher at Copper Hill School, effective January 12, 2017 through February 22, 2017. Effective February 23, 2017, Erin McNamara will return to her 1.0 Reading Recovery Teacher position at Copper Hill School.

*Mr. Walker abstained.

5. Approval was given to appoint the following mentors for the 2016-2017 school year.

Item	Mentor	Mentor's Location	Novice Teacher	Stipend
1.	Erin McNamara	CH	Meagan Griffith	\$550 (prorated)
2.	Elizabeth Roll	JPC	Brittany Ksiezopolski	\$550 (prorated)
3.	Marybeth Madlinger	RFIS	Katherine Finch	\$550 (prorated)

Non-Certified Staff – Appointments, Resignations & Leaves of Absence

6. Approval was given for the following staff member to take a leave of absence, as follows:

Item	Last Name	First Name	Loc.	Position	Leave	Anticipated Date(s)
1.	Assuncao	Jacqueline	JPC	10-Month Secretary	Medical	March 10, 2017-March 24, 2017-Paid Time Off

7. Approval was given to confirm the following staff member to take a leave of absence, as follows:

Item	Last Name	First Name	Loc.	Position	Leave	Anticipated Date(s)
1.	Trecozzi	Catherine	BS	Cafeteria Aide	Family Medical	February 21, 2017-March 13, 2017-Paid Time Off March 14, 2017-April 30, 2017-FMLA/Unpaid

All Staff – Additional Compensation

8. Approval was given to employ the following staff members for additional compensation during the 2016-2017 school year, as follows:

Item	Last Name	First Name	Loc.	Purpose	Max. # of Hours	Rate/Stipend
1.	Boelhouwer	Peter	JPC	Coach-Varsity Baseball	132	\$30.62/hr.
2.	Colacicco	Nicholas	JPC	Coach-Varsity Girls Lacrosse	132	\$30.62/hr.
3.	Kosensky	Matthew	JPC	Coach-JV Baseball	108	\$30.62/hr.
4.	Lyman	Margaret	JPC	Coach-JV Softball	108	\$30.62/hr.
5.	Shirvanian	Daniel	JPC	Coach-Varsity Softball	132	\$30.62/hr.
6.	Tamburino	Megan	JPC	Coach-JV Girls Lacrosse	108	\$30.62/hr.
7.	Alexanderson	Karin	RH	Spring Concert-Director	2	\$30.62/hr.
8.	Hopkins	Kenneth	RH	Spring Concert Chaperones	2	\$30.62/hr.
9.	Marino	Jennifer	RH	Spring Concert Chaperones	2	\$30.62/hr.
10.	Blanchard	Joey	BS	Parent meeting	1	Hourly
11.	Colonna	Rachel	BS	Parent meeting	1	Hourly
12.	Finch	Katherine	RFIS	Parent meeting	1	Hourly
13.	Kellett	Ashley	JPC	Parent meeting	1	Hourly

Aye: Ms. Abbott Mr. Stager Nay: 0 Abstain: Mr. Walker 1-4
 Ms. Borucki Mr. Walker
 Dr. Kenny Ms. Fallon

CURRICULUM, PROFESSIONAL DEVELOPMENT, ASSESSMENT, TECHNOLOGY, AND GRANTS

The next meeting will be March 9, 2017.

All Curriculum items were approved under one motion made by Ms. Borucki, seconded by Mr. Stager.

1. Approval was given to employ the following consultant during the 2016-2017 school year.

Item	Consultant	Location	Purpose	Number of Days	Cost not to exceed
1.	A Vision in Motion, Inc.	RFIS	Dr. Paul Wichansky to present Access to Success Assembly to Grades 5-6	1	\$1,500

2. Approval was given to purchase the following item that exceeds the \$40,000 bid threshold using a State Contract.

Item	Quantity	Description	Total Cost	Vendor
1.	150	iPad Air 2 Wi-Fi 32 GB	\$56,100	Apple

3. Approval was given to accept the following curriculum, professional development, and/or technology-related donations for the 2016-2017 school year.

Item	Donation	Value	Location	Funding Source
1.	Author Visit Luncheon – Neal Shusterman	\$420	JPC	Shoprite
2.	Author Visit – Sudipta Bardhan-Quallen	\$1,950	CH	PTO
3.	Franklin Institute Life in Space Assembly	\$590	CH	PTO
4.	Hunterdon County Book Mobile Visit	No cost	RH	N/A

4. Approval was given of the following travel expenditures for staff members or their designated alternate to attend professional development conferences/workshops. This travel is deemed educationally necessary and fiscally prudent and all travel expenditures shall be directly related to and within the scope of the staff member’s current responsibilities and professional development plans.

Item	Last Name	First Name	Workshop/Conference	Dates	Includes (see below)	Max. Amount
1.	Slomczewski	Gregory	Judy Freeman's Winners! Workshop, Somerset, NJ	May 10, 2017	R,M	\$240
R = Registration Fee; M = Mileage; L = Lodging; F = Food; O = Other						

5. Approval was given for the Curriculum Department to dispose of the attached list of obsolete Teaching Reading Content Areas, Social Studies, Science and Mathematics books that are no longer useable and are not required as a trade-in or a replacement purchase.
6. Approval was given for J.P. Case Middle School to dispose of the attached list of obsolete teacher resource books that are no longer useable and are not required as a trade-in or a replacement purchase.

Aye: Ms. Abbott Mr. Stager Nay: 0 Abstain: 0
 Ms. Borucki Mr. Walker
 Dr. Kenny Ms. Fallon

FACILITIES/OPERATIONS

The next meeting will be March 7, 2017.

TRANSPORTATION

The next meeting will be March 8, 2017.

FINANCE

The next meeting will be March 8, 2017.

All Finance items were approved under one motion made by Dr. Kenny, seconded by Ms. Borucki.

1. Approval was given of the attached transfer list from January 18, 2017 to February 17, 2017.
2. Approval was given of the attached bill list for the month of February totaling \$3,075,023.52.
3. Approval was given to cancel the following outstanding warrant checks:

Item	Date	Check #	Amount
1.	09/21/15	31408	\$ 24.90
2.	10/26/15	31658	\$ 225.00
3.	11/23/15	31812	\$ 700.00
4.	05/23/16	32734	\$1,000.00
5.	06/27/16	32995	\$ 86.73

4. Approval was given to amend the motion of February 13, 2017:

to purchase the following item that exceeds the \$40,000 bid threshold using a State Contract.

Item	Quantity	Description	Total Cost	Vendor
1.	1	2017 Ford Explorer 4WD	\$24,708	Beyer Ford
2.	1	2017 Ford F-450 4WD Regular Cab Truck	\$30,482	Beyer Ford

to read:

Item	Quantity	Description	Total Cost	Vendor
1.	1	2017 Ford Explorer 4WD	\$24,708	Beyer Ford
2.	1	2017 Ford F-450 4WD Regular Cab Truck	\$40,244	Beyer Ford

Includes specialized equipment

Aye: Ms. Abbott Mr. Stager Nay: 0 Abstain: 0
 Ms. Borucki Mr. Walker
 Dr. Kenny Ms. Fallon

POLICY

The next meeting will be March 28, 2017.

The Policy item was approved under one motion made by Dr. Kenny, seconded by Ms. Borucki.

1. Approval was given to present the following new policies and regulations for second reading and adoption, as attached:
 - a. R 2312 Class Size
 - b. R 2340 Field Trips
 - c. R 2415 Title I Services (M)
 - d. R 2415.20 No Child Left Behind Complaints (M)
 - e. P 2415.30 Title I - Educational Stability for Children in Foster Care (M)
 - f. P 2418 Section 504 of the Rehabilitation Act of 1973 -- Students (M)
 - g. R 2418 Section 504 of the Rehabilitation Act of 1973 -- Students (M)

***Ms. Voorhees noted that policies are all reviewed by the Strauss Esmay attorneys. Dr. Kenny will review these again in the next Policy Committee Meeting.**

Aye: Ms. Abbott Mr. Stager Nay: 0 Abstain: 0
 Ms. Borucki Mr. Walker
 Dr. Kenny Ms. Fallon

SPECIAL SERVICES

All Special Services items were approved under one motion made by Ms. Abbott, seconded by Mr. Stager.

- Approval was given to confirm the transfer of the following Teacher Assistant, contracted through Hunterdon County Educational Services Commission, for the 2016-2017 school year as follows:

Item	Last Name	First Name	From: Loc./Position	To: Loc./Position/Replacing	Effective Date
1.	Heldt	Lorraine	CH/Multiple Disabilities	JPC/Grade 7/8 Spanish/Jill Rosenthal	February 27, 2017

- Approval was given for the Hunterdon County Educational Services Commission to provide School Bus Aides, per the attached amended agreement for the 2016-2017 school year.
- Approval was given to confirm the following Teacher Assistant, contracted through the Hunterdon County Educational Services Commission, for the 2016-2017 school year as follows:*

Item	Last Name	First Name	Loc.	Position	Effective Date
1.	Perry	Maura	CH	Transportation Aide	January 23, 2017

*Mr. Walker abstained.

- Approval was given to employ the following Teacher Assistants, contracted through the Hunterdon County Educational Services Commission, for the 2016-2017 school year as follows:*

Item	Last Name	First Name	Loc.	Position	Effective Date
1.	Pacheco	Loriann	CH	Substitute Transportation Aide	February 28, 2017
2.	Pryer	Kristine	CH	Substitute Transportation Aide	February 28, 2017

*Mr. Walker abstained.

- Approval was given to confirm the resignation of the following Teacher Assistant, contracted through the Hunterdon County Educational Service Commission, for the 2016-2017 school year, as follows:

Item	Last Name	First Name	Loc.	Position	Effective Date
1.	Santagata	Michael	RFIS	World Language	February 24, 2017

- Approval was given to accept the resignation of the following Teacher Assistant, contracted through the Hunterdon County Educational Service Commission, for the 2016-2017 school year, as follows:

Item	Last Name	First Name	Loc.	Position	Effective Date
1.	Bergamo	Natalie	CH	Pre-K Autism	March 10, 2017

- Approval was given to accept homeless student #8678753817.
- Approval was given for student #7763027241 to attend Stepping Stone School for the remainder of the 2016-2017 school year at a per diem rate of \$245.42. Transportation to be provided by the Flemington Raritan School District.

Aye: Ms. Abbott Mr. Stager Nay: 0 Abstain: Mr. Walker 3 & 4
 Ms. Borucki Mr. Walker
 Dr. Kenny Ms. Fallon

INFORMATION ITEMS

1. Harassment, Intimidation & Bullying Investigations for the 2016-2017 school year:

School	Date of Incident	Report #	Classified HIB (Y/N)	Additional Action Taken
RFIS	"Over the course of the school year" Date of Initial Referral: 1/26/17	2	No	Remedial measures outlined in report

MISCELLANEOUS/ACTION ITEMS

All Miscellaneous/Action items were approved under one motion made by Ms. Abbott, seconded by Ms. Borucki.

1. Approval was given to adopt the revised 2016-2017 Maintenance Calendar, as attached.
2. Approval was given to accept the settlement agreement for student #8625361197, as attached.
3. Approval was given to accept the resignation of the following Athletic Trainer, contracted through Hunterdon Medical Center, for the 2016-2017 school years, as follows:

Item	Last Name	First Name	Loc.	Position	Effective Date
1.	Butts	Gracie	JPC	Athletic Trainer	March 17, 2017

4. Approval was given to employ Christine Torre, Consultant, for the 2016-2017 school year, to conduct staff evaluations, at a cost of \$400/day, not to exceed 75 days. Fingerprints and health exam required.

Aye: Ms. Abbott Mr. Stager Nay: 0 Abstain: 0
 Ms. Borucki Mr. Walker
 Dr. Kenny Ms. Fallon

CORRESPONDENCE

Mr. Stager stated he received one piece of correspondence regarding finances. The correspondence was handled.

OLD BUSINESS

None

NEW BUSINESS

Ms. Borucki congratulated the Rec boys' basketball team.

CITIZENS ADDRESS THE BOARD

None

On the motion of Ms. Borucki, seconded by Mr. Walker, the meeting was adjourned at 7:40 p.m. viva voce.

Respectfully Submitted,

Stephanie Voorhees
 Business Administrator/Board Secretary

2017 Board Meetings

March 13 Educators of the Year Reception and Recognition & 27 Safety Poster Contest Winners

April 24

May 8 Reorganization of the District & May 30 Superintendent Evaluation

June 12 Superintendent Evaluation Delivery & 26

July 24

August 21 Goal Setting Session

September 11 & 25

October 9 & 23

November 13 & 27

December 11

March 1, 2017

Township of Raritan
Rose Sollena, Secretary/Clerk
One Municipal Drive
Flemington, NJ 08822

Dear Ms. Sollena:

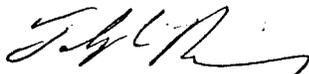
As per requirements of the state Pesticide Control Regulations, N.J.A.C. Title 7 Chapter 30, enclosed please find an information packet regarding our mosquito control program.

The pesticide regulations require that I provide information that outlines the scope of our work should we be involved with area-wide mosquito control in your municipality.

I have included all municipalities in our mailing this year so that should the circumstances arise where we are conducting activities in your area, you will have some insight as to the nature of our work.

Any program updates can most easily be found on our website, the address of which is included in this packet.

Sincerely,



Tadhgh Rainey
Division Manager
Public Health Services

TR: jo

Enclosures

Mosquitoes Question and Answer Sheet

**Distributed by:
Hunterdon County Mosquito and Vector Control Program**

Background

This Q&A sheet has been produced to help residents and local officials understand information pertaining to mosquito control in Hunterdon County. It was designed by personnel from the Hunterdon County Mosquito and Vector Control Program (HCMVCP) and was approved by the New Jersey Department of Environmental Protection, Pesticide Control Program as per the Pesticide Control Regulations (N.J.A.C. Title 7:30). Municipalities are encouraged to share this information with all residents in their community.

What is the life cycle of mosquitoes?

Details of the mosquito life cycle are described in the following pages. In summary, mosquitoes spend the immature stages of their lives in water. Some adult female mosquitoes require a blood meal for the production of eggs. Females lay their eggs in a variety of aquatic environments, including both transient and permanent bodies of water. Mosquitoes are extremely diverse insects; more than 32 species inhabit areas of Hunterdon County alone.

What diseases do mosquitoes cause?

In the eastern United States, mosquitoes transmit a variety of diseases including West Nile virus (WNV), eastern equine encephalitis (EEE), St. Louis encephalitis, LaCrosse virus, malaria and dog heartworm. WNV, a mosquito-borne virus causing encephalitis, was first recognized in New York City in 1999. WNV affects a variety of wildlife, horses and humans. The primary vector of WNV is a mosquito commonly found around homes. A WNV vaccine for horses was conditionally approved by the United States Department of Agriculture in 2001 and has been in use since.

What are the functions of the Hunterdon County Mosquito and Vector Control Program?

The HCMVCP was established in 2000 and conducts surveillance/control of mosquitoes, black flies and ticks. The focus of the program has been mosquito surveillance and control based on the statutory mandate (N.J.S.A. Title 26:9) "to perform all acts which in its opinion may be necessary for the elimination of mosquito breeding areas, or which will tend to exterminate mosquitoes within the county." The HCMVCP has incorporated tick and black fly surveillance in the past few years. The program's activities are guided through comprehensive surveillance, which includes trapping, collecting, etc. to evaluate populations of various species. Mosquitoes are controlled by source reduction, chemical, and biological control. Emphasis is placed on the control of mosquitoes when they are in the aquatic stages of their development.

What control efforts are utilized by the HCMVCP?

The HCMVCP uses an integrated pest management (IPM) approach to controlling mosquitoes. IPM incorporates various methods of control, including the use of biological and synthetic products when needed. With an IPM strategy, control efforts focus primarily on the immature, water-borne stages of the

mosquito. Larval control can be very effective because larvae are more concentrated and accessible than the adult mosquitoes, which disperse after emerging. Adult control can be effective and is used when larviciding is inappropriate. Larval control encompasses a variety of techniques and is not limited to synthetic chemicals. Most larval control in Hunterdon is conducted through the use of biologically derived agents. This includes bacterial products such as *Bacillus thuringiensis israelensis* (abbreviated "Bti") and *Bacillus sphaericus*, and through the use of live organisms such as the mosquito fish, *Gambusia affinis*. All products used by the HCMVCP are registered and licensed by the United States Environmental Protection Agency. They are registered for use by the New Jersey Department of Environmental Protection and are approved for use by the New Jersey Agricultural Experiment Station (NJAES). Biological agents, such as fungi and nematodes, that are not recommended by NJAES for mosquito control are not part of a proper IPM program and are not used by the HCMVCP. Additional information can be obtained by visiting the Hunterdon County website: <http://www.co.hunterdon.nj.us>.

What are the winter activities of the HCMVCP?

Field activities, such as tire cleanup, mapping of sites, laboratory analysis of mosquitoes, etc. are conducted year round. Control operations generally start in February with the hatching of woodland pool mosquito species and continue through November. Inspection routes and trapping sites are revised and analyzed during the winter months. Educational presentations are made for citizen groups, etc. on mosquitoes, black flies, bed bugs ticks and other insects as well during this time. Simply contact HCMVCP for further details on these programs.

What can homeowners do to help control mosquitoes?

- Homeowners can provide effective control by eliminating standing water on their property. Any container holding water is a potential source of mosquito production. Of particular concern are clogged gutters and scattered tires. Residents should keep gutters clean and remove or overturn containers if possible. Items such as birdbaths should be emptied and refilled at least once a week.
- Small depressions in the yard can be filled to prevent the collection of water. If larger wet areas exist on the property, residents should bring them to the attention of HCMVCP personnel.
- Keeping adult mosquitoes out of the home is an additional step residents can take. Window and door screens should be properly fitted and holes patched to prevent mosquitoes from entering the home.
- A variety of repellents are available to provide relief from mosquitoes and other insects. Historically, the most effective repellents are those containing the active ingredient DEET.

What do I do if there are mosquito problems around my home?

If mosquitoes present a problem in your area, contact the HCMVCP office at (908) 788-1351. The staff will investigate your call. Each area is inspected to verify the presence of mosquitoes. Adult mosquitoes are often collected for surveillance purposes and virus testing.

How do residents avoid exposure to pesticides?

Larvicides are most frequently applied in areas where there is no exposure to people. However, people should take the same precautions that are used when handling chemicals around the home to avoid exposure. Avoid consumption and direct exposure to any larvicide or adulticide. If residents are in a spray zone, windows can be closed to reduce drift into a home. Adulticide products are sprayed on a low rate basis. Exposure to outdoor products is therefore minimal and there is generally no need to move items

indoors. However, exposure can be avoided by covering outdoor items if needed. Higher risk individuals, particularly pregnant women, children and those who are chronically ill should avoid direct contact with pesticides. Exposure can be reduced by keeping a distance from application equipment and avoiding immediate and direct contact with habitat that has been treated. Treatment information is routinely updated during the field season on the Hunterdon County website: <http://www.co.hunterdon.nj.us>.

What are the symptoms of pesticide exposure?

Symptoms of exposure vary with each product and vary with the amount of exposure. Generally speaking, exposure to small doses may cause mild irritation to the skin and eyes. Because symptoms vary so greatly, and because symptoms of exposure can present themselves like many other illnesses, residents should contact a physician if they suspect they have been exposed to a pesticide. Residents should also contact the New Jersey Poison Information and Education System (1-800-222-1222) if they have been exposed to a pesticide. The Material Safety Data Sheets (MSDSs) provide useful first aid information for individuals who have been exposed to a concentrated material (for example, exposure during the mixing process). MSDSs for products used by the HCMVCP are available to residents upon request. Pesticide fact sheets, which are included in this packet, provide more detailed information on inadvertent and mild exposure to pesticides.

Where can I find more specific information on the activities of the mosquito program?

Current activities of the mosquito program can be found at the Hunterdon County website: <http://www.co.hunterdon.nj.us> or by calling the HCMVCP office at 908-788-1351. Information on the website changes on an as needed basis over the course of the season. Items included on the web page include maps of disease activity, announcements, information on products used in mosquito control, and information pertaining to mosquito spraying. Area-wide spraying notifications are also announced in newspaper advertisements (typically in the *Hunterdon Democrat*, *Courier News*, *Easton Express Times* or *Star Ledger*) over the course of the season. These announcements provide details on products used and appropriate contact information. An example of such an announcement is provided on the last page of this packet.

With whom do I correspond to attain more technical information on pesticide usage and exposure?

National Pesticide Information Center (for overall information 9:30 AM – 7:30 PM)
800-858-7378

New Jersey Poison and Information and Education System (for pesticide health information and exposure)
800-222-1222

NJDEP Pesticide Control Program (for NJ pesticide regulations and misuse complaints)
609-984-6057

US Environmental Protection Agency, Region 2 Office (for federal pesticide regulation)
732-321-6759

NJDEP Office of Mosquito Control Coordination (for State-wide mosquito control information)
609-292-3649

Hunterdon County Division of Health (for local mosquito control information)
908-788-1351

Hunterdon County Division of Health

In compliance with Section 9.10 of the New Jersey Pesticide Control Code (N.J.A.C. Title 7, Chapter 30) notice is hereby given that the Hunterdon County Division of Health, Route 12 County Complex Flemington, NJ 08822 will be applying insecticides for the control of larval black flies on an area wide basis in Hunterdon County (primarily in the South Branch of the Raritan River), as needed, during the period of April 20, 2012 through October 16, 2012. The Hunterdon County Division of Health will also be applying insecticides for the control of adult mosquitoes, on an area wide basis in Hunterdon County as needed, during the period of May 18, 2012 through November 20, 2012. The insecticide to be used for larval black flies [with active ingredient (a.i.) *Bacillus thuringiensis israelensis*] will be Vectobac 12AS (EPA reg #73049-38) applied according to product labeling. The products to be used in adult mosquito control could be Scourge 4+12 [a.i. resmethrin and piperonyl butoxide (PBO)] (EPA reg #432-716), Scourge 18+54 (a.i. resmethrin and PBO)(EPA reg #432-667), Atrapa VCP (a.i. malathion) (EPA reg #1812-407), Anvil 2+2 (a.i. sumithrin)(EPA reg #1021-1687-8329), and Zenivex E20 (a.i. etofenprox)(EPA reg #2724-791). All products will be applied with truck-mounted or handheld equipment (nothing by aircraft).

All persons interested in obtaining additional information regarding these activities may call the program coordinator, Mr. Tadhg Rainey (Pesticide License # 24344B) at (908) 788-1351, Rte 12 Complex, Flemington, NJ 08822 or by visiting the Hunterdon County Website: www.co.hunterdon.nj.us. "Upon request the pesticide applicator or applicator business shall provide a resident with notification at least 12 hours prior to the application, except for Quarantine and Disease Vector Control only, when conditions necessitate pesticide applications sooner than that time." In order for health department officials to correctly identify these areas, residents should indicate the name, street address and phone number at the residence, and should make such requests annually (no deadline is required) in writing or by email. For routine health inquiries or pesticide exposure information please contact the National Pesticide Information Center at 1-800-858-7378. For emergencies relating to pesticides contact the New Jersey Poison Information and Education System at 1-800-222-1222. Contact "this number for pesticide regulation information, pesticide complaints, and health referrals" 1-609-984-6507 (NJ Pesticide Control Program).

Products Used in Larval Black Fly Control

Vectobac® 12AS

What is Vectobac® 12AS and how is it used?

Vectobac® 12AS is a liquid formulation that contains the active ingredient *Bacillus thuringiensis israelensis* (Bti). Bti stands for the name of the bacteria of which certain components of these bacteria effectively control black fly larvae. Proteins from the bacteria are pathogenic to filter feeding black flies and these proteins comprise the active ingredient of Vectobac. Vectobac is applied to black fly larval habitat (generally rivers and streams) in either a concentrated or diluted fashion (by the use of water). The US Environmental Protection Agency's current evaluation considers Bti containing products to be practically non-toxic when used according to label instructions. Method of application is either by hand or truck mounted equipment.

How can exposure to Vectobac be avoided?

Although risk to the general public from use of this of this product is minimal, avoiding exposure is always the safest course of action. Because of the physical and chemical properties of Vectobac, generally the only health concern is associated with an allergic reaction to the bacteria. Residents should therefore take precautions to avoid direct eye and skin contact with Bti. Areas of the body that have come in contact with Vectobac can be washed with water. There are no specific categories of individuals who are more susceptible to problems associated with Bti; however, residents who perceive themselves at a higher risk for exposure to other products should take extra care to avoid direct contact with Bti. Such residents might include those who have general allergic reactions to a variety of other products, young children, and chronically ill individuals. Exposure can be reduced by keeping a distance from application equipment and avoiding immediate and direct contact with habitat that has been treated. Treatment information is routinely updated during the field season on the Hunterdon County website: <http://www.co.hunterdon.nj.us>. In addition, notices containing information about the use of Vectobac are periodically placed in newspapers in the Hunterdon region throughout the season.

What are the symptoms of exposure to Vectobac?

Direct exposure could cause mild irritation from eye and skin contact. These conditions could be aggravated by pre-existing skin or eye lesions and hypersensitivity. The chance of experiencing symptoms with diluted material when properly used is low. First aid procedure includes flushing exposed areas with copious amounts of water and seeking medical attention if irritation persists. Should symptoms persist, immediate medical attention is advised by either contacting a physician or by contacting the New Jersey Poison Information and Education System (NJPIES) at 1-800-222-1222.

How long does Bti last in the environment?

Bti tends to breakdown quickly in the environment, primarily due to its susceptibility to heat and sunlight. Breakdown in water generally occurs within hours of use.

Where can more information on these products be found?

Numerous publications exist on the efficacy and environmental fate of Bti. Staff of the HCMVCP can provide examples of these upon request. The following resources can also be used to attain more information on Bti as it pertains to black fly control:

- | | |
|---|---------------------|
| National Pesticide Information Center | 800-858-7378 |
| - For overall pesticide specific information
(9:30 AM – 7:30 PM) | |
| New Jersey Poison Information and Education System | 800-222-1222 |
| - For pesticide health information and possible
exposure (24 hours) | |
| NJ DEP Pesticide Control Program | 609-984-6057 |
| - For NJ pesticide regulation and misuse complaints | |
| US EPA Region 2 Office of Pesticide Programs | 732-321-6759 |
| - For federal pesticide regulation information | |
| Hunterdon County Division of Health | 908-788-1351 |
| - For pesticide information and information
on local black fly control | |

Hunterdon County Mosquito & Vector Control 2017 Fact Sheet

Anvil®

(Sumithrin-Containing Product Used for Adult Mosquito Control)

What is Anvil® and how is it used?

Sumithrin is the active ingredient in the product Anvil® and is produced for the control of adult mosquitoes. Sumithrin is used as an ultra low volume (ULV) spray following the product label and guidelines produced by the New Jersey Agricultural Experiment Station (NJAES). Sumithrin is a synthetic form of the pyrethrins, the naturally occurring compounds found in chrysanthemum flowers, and is included in a group of products collectively known as the "pyrethroids." Piperonyl butoxide (also known as "PBO") is a synergist that is contained in Anvil formulations. PBO, although not capable of effectively controlling mosquitoes by alone, increases the activity of sumithrin in mosquitoes by decreasing the ability of mosquitoes to detoxify sumithrin. The US Environmental Protection Agency's current evaluation states that pyrethroids do not pose unreasonable health risks to people or unreasonable risks to wildlife and the environment when used properly.

How can exposure to these products be avoided?

Although risk to the general public from use of this of this product is minimal, avoiding exposure is always the safest course of action. Higher risk individuals, particularly pregnant women, children and those who are chronically ill, should avoid direct contact with Anvil. Exposure can be reduced by keeping a distance from application equipment and avoiding immediate and direct contact with habitat that has been treated. Treatment information is routinely updated during the field season on the Hunterdon County website: <http://www.co.hunterdon.nj.us>. In addition, notices containing information about the use of resmethrin are periodically placed in newspapers in the Hunterdon region throughout the season. Residents can avoid incidental contact with resmethrin by remaining indoors and keeping windows closed during sumithrin applications.

What are the symptoms of exposure to Anvil?

Direct exposure could cause mild eye and skin irritation. Eyes should be flushed with plenty of water upon exposure. The chance of experiencing symptoms by exposure to Anvil when properly used is low. Should symptoms exist, immediate medical attention is advised by either contacting a physician or by contacting the New Jersey Poison Information and Education System (NJPIES) at 1-800-222-1222.

How long does Anvil last in the environment?

Sumithrin tends to breakdown relatively quickly in the environment. Breakdown is highly dependent on temperature and sunlight. In direct sunlight, resmethrin will likely breakdown in hours; however, it could persist in the soil for several days if conditions are favorable. In practical terms, sumithrin used at ULV rates will only provide mosquito control within a couple of hours of use. PBO breakdown follows a similar pattern to sumithrin although probably shows slightly greater persistence in the soil.

Where can more information on sumithrin be found?

The following resources can be used to attain more information on sumithrin as it pertains to mosquito control in Hunterdon County:

- | | |
|--|---------------------|
| National Pesticide Information Center | 800-858-7378 |
| - For overall pesticide specific information
(9:30 AM – 7:30 PM) | |
| New Jersey Poison Information and Education System | 800-222-1222 |
| - For pesticide health information and possible
exposure (24 hours) | |
| NJ DEP Pesticide Control Program | 609-984-6057 |
| - For NJ pesticide regulation and misuse complaints | |
| US EPA Region 2 Office of Pesticide Programs | 732-321-6759 |
| - For federal pesticide regulation information | |
| Hunterdon County Division of Health | 908-788-1351 |
| - For pesticide information and information on
local mosquito control | |

Office of the Hunterdon County Engineer

Department of Public Works
Route 12 County Complex, Building #1
P. O. Box 2900
Flemington, NJ 08822-2900

11 E

Thomas B. Mathews, P.E., Director
County Engineer / Director of Public Works

James G. Martin, P.E.
Assistant County Engineer

Eric T. Johnson, P.E.
Assistant County Engineer

Kenneth W. Miller, P.L.S.
Land Surveyor

Robert W. Ent, P.L.S.
Land Surveyor

(908) 788-1227
Fax: (908) 788-1231
engineering@co.hunterdon.nj.us

Jeffrey A. Quick
County Road Supervisor

Raymond Eichlin
Assistant County Road Supervisor

Donald Sutton
Superintendent of Bridges

Robby A. Bennett
Assistant Superintendent of Bridges

(908) 788-1178
Fax: (908) 788-1047
roads@co.hunterdon.nj.us



March 16, 2017

William Bray, Acting Clerk
Township of Raritan
1 Municipal Drive
Flemington, New Jersey 08822

Re: Resurfacing and Drainage Improvements for County Route 579
Townships of Franklin and Raritan, County of Hunterdon

Dear Mr. Bray:

This letter is to advise you that the County will be receiving bids the above-referenced project in the spring of 2017.

Attached, please find a set of plans for the proposed construction. Once you have reviewed the plans, please contact this office with any comments you may have.

Should you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in cursive script that reads "Edward Kopp".

Edward Kopp, P.E.
Supervising Engineer

Attachments

CC: Township Planning Board Secretary
Tony Hajjar, Township Engineer

COUNTY OF HUNTERDON, NEW JERSEY

**RESOLUTION #17-73
APPROVING MUNICIPAL MANAGEMENT SOFTWARE**

WHEREAS, the Township of Raritan desires to purchase a Municipal Management System Software to manage the Construction, Fire Inspection, Planning/Zoning/Engineering, Tax Assessor, Clerk and Administration Departments; and

WHEREAS, the Township Administrator has investigated the options to purchase this software System under a New Jersey State Bid Contract; and

WHEREAS, the Township Administrator has evaluated the options for purchase of a new Municipal Management Software System and recommends the purchase of Spatial Data Logic Municipal Management Software; and

WHEREAS, the New Jersey Public Contracts Law, N.J. SA 40A:11-12, permits municipalities to purchase goods and services without advertising for bids, from companies under any contract or contracts for such goods and services entered into on behalf of the State of New Jersey; and

WHEREAS, Spatial Data Logics Municipal Management Software, qualifies to be purchased using State Bid Contract #A89851, from SHI International Corporation, Kevin Gordon, Account Executive, 300 Davidson Drive, Somerset , New Jersey 08873 , at a cost of \$ 54,100.00 , a copy of such quotation being attached hereto ; and

WHEREAS, the Chief Financial Officer has advised that funding is available by Certification attached.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, New Jersey that it hereby authorizes the contract for the purchase of Spatial Data Logics Municipal Management Software System, under State Bid Contract # A89851 from Kevin Gordon, Account Executive, SHI Corporation in Somerset, New Jersey at a cost of \$54,100.00 for a contract period of one year , to commence upon the date of the signing of contract and the option to extend contract at an annual cost of \$27,500.00 for two(2) , one (1) year extensions .

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

Resolution #17-73
Page 2

CERTIFICATION

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk

CERTIFICATION OF AVAILABILITY OF FUNDS

No. 17-5

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: Manup Management System Software to manage Construction, Sewer Inspection, Planning/Engineering, Tax Assessors, and Administration Departments

Vendor: SHI International Corporation

Amount(s): \$26,600

P.O. No. _____
(if applicable)

2. Funds are available as follows:

Fund name: Current Capital Other

Budget year: 2016 Any contingency? No Yes

Account title(s):

- a. Improvement Budgets 16-10 - Various Capital
- b. Improvements
- c. _____

Amounts

Account no.(s): Adopted budget Ordinance Trust fund Temporary budget

a. 04-215-56-998-499 \$26,600

b. _____

c. _____

William B. Pandos

William B. Pandos

3/6/17
Date

cc: Finance
C. Barbati

CERTIFICATION OF AVAILABILITY OF FUNDS

No. 17-6

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: Municipal Management System - license up to 25 seats, support + portal for one year

Vendor: SHI International Corporation

Amount(s): \$27,500

P.O. No. _____
(if applicable)

2. Funds are available as follows:

Fund name: Current Capital Other

Budget year: 2017 Any contingency? No Yes

of 2017 Budget

Subject to adjustments

- Account title(s):
- a. Data Processing
 - b. _____
 - c. _____

Amounts

Account no.(s):

- Adopted budget
- Ordinance
- Trust fund
- Temporary budget

a. 01-201-20-140-222

\$27,500

b. _____

c. _____

William B. Pandos

William B. Pandos

3/6/17
Date

cc: Finance
C. Barbati

TOWNSHIP OF RARITAN

COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-90

WHEREAS, there exists a vacancy for the appointment of a Commissioner on the RTMUA (Raritan Township Municipal Utilities Authority); and

WHEREAS, the Township Committee of the Township of Raritan is desirous of filling the vacancy within the RTMUA; and

WHEREAS, the Township Committee of the Township recommended that be appointed as Commissioner of the RTMUA effective March 21, 2017 to fill an unexpired term to January 31, 2021.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Raritan that the following is hereby appointed.

*Appointed as Commissioner of the RTMUA
Effective March 21, 2017
To Fill an Unexpired Term to January 31, 2021*

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

CERTIFICATION

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk

The Township Committee of the Township of Raritan met on Oct. 18, 2016 at the Municipal Building, One Municipal Drive, Flemington, New Jersey.

MEETING CALLED:

Mayor Gilbert called the meeting to order at 6:37 pm.

ROLL CALL:

The following were present: Mayor Karen Gilbert, Deputy Mayor Michael Mangin, Comm. Richard Chen, Comm. Craig O'Brien and Comm. Lou Reiner. Also present Att. Bill Robertson.

MEETING ADVERTISED:

Mayor Gilbert advised that the meeting was advertised in accordance with the Open Public Meetings Act in the February 25th, 2016 issue of the Hunterdon County Democrat and was posted on the office bulletin board and the Township Website.

Att. Robertson read Resolution #16-220 in full.

RESOLUTION #16-220

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: N/A
 - b) Open Space: N/A
 - c) Personnel: 911 Coordinator, Administrator, Clerical Assistant, Engineering Aide, Engineer
 - d) Potential Litigation: Linque/Pulte Lawsuit
 - e) Attorney Client Privilege: N/A
 - f) Threatened Lawsuit: Former Township Administrator
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 come back into Regular Session and may take further action.
5. This Resolution shall take effect immediately.

Roll Call	Moved	Seconded	Ayes	Nays	Abstain	Absent
Richard Chen, Committee Member		X	X			
Michael Mangin, Deputy Mayor	X		X			
Craig O'Brien, Committee Member			X			
Lou Reiner, Committee Member			X			
Karen Gilbert, Mayor			X			

Vote 5-Yea, 0-No. Motion carried.

**CLOSED
SESSION:**

Closed session Minutes are on a separate document.

**OPEN
SESSION:**

The Committee came out of Closed Session at 7:05 p.m. The public portion of the meeting began at 7:10 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mayor Gilbert asked all to join in the Pledge of Allegiance to our Flag and to remain standing for a Moment of Silence to remember our Men and Women serving in the Armed Forces and in Particular Those Serving in Troubled Areas Around the World.

**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.

Gene Lewandowski – 3 Phipps Court – Mr. Lewandowski asked about the former Administrator and whether he was paid.

Mayor Gilbert said the former administrator has been paid.

Nancy Kahl, Main Street Massage Therapy in Flemington, 4 Walter Foran Blvd. Ms. Kahl told the Committee that the term “massage parlor” is offensive. It should be “massage therapy.”

Mayor Gilbert said she agreed that a better word than parlor should be used.

Barbara Sachau – 2 Glenway Drive, Ms. Sachau told the Committee that there are too many meetings on the same night which prevents the public from attending all the meeting they want to go to. Ms. Sachau told the Committee that there shouldn't be an open space tax because people thought we were saving nature for nature and not for farming or hunting. Ms. Sachau said the Committee should not vote for hunting on open space land.

There were no further comments

**LIASION
REPORTS**

Mayor Gilbert told the Committee that she and Comm. Mangin will be meeting with the capacity task force and inviting them to a future meeting.

**FINANCIAL
ISSUES**

Payment of Bills as Listed for Raritan Township: \$474,057.73

Mayor Gilbert asked if anyone had any questions on the bills list or wanted any item pulled for discussion or a separate vote.

Comm. O'Brien asked about bills for fire truck repairs. DPW Superintendent Hutchins told the Committee this was the final set of bills for the truck repairs.

Comm. O'Brien asked about the legal bills. Att. Lehrer said that his bills had not been paid for several months. Comm. O'Brien said he is fine with paying the bill after he knows what they are for. Mayor Gilbert said the legal bills were sitting in the administrator's office unpaid. Comm. O'Brien asked to remove the legal bills from the bill list. Comm. Chen said he did not support removing the legal bills from the bill list.

Mayor Gilbert asked for a motion to approve the Bill Listed for the Raritan Township. Motion was made by Comm. Chen, seconded by Comm. Mangin.

Roll Call	Moved	Seconded	Ayes	Nays	Abstain	Absent
Richard Chen, Committee Member		X	X			
Michael Mangin, Deputy Mayor	X		X			
Craig O'Brien, Committee Member				X		
Lou Reiner, Committee Member			X			
Karen Gilbert, Mayor			X			

Comm. Reiner said he was voting for all but the legal bills.
 Vote, 4-Yea, 1-No. Motion carried.

Comm. Chen said it has come to his attention that \$400,000 has not been applied to open space debt service. Mayor Gilbert said there is some confusion about how to apply the money to debt service and wanted to ask CFO Bill Pandos.

**UNFINISHED
 BUSINESS**

Vacant & Abandoned Homes/Property Maintenance – Michael Pessolano told the Committee that he has created a spreadsheet to show the status of various properties he is working on. Mr. Pessolano told the Committee that the Judge is considering a cumulative fine against one property possibly as high as \$60,000 if the violations have not been addressed. Mr. Pessolano said he visited the home and found some clean-up had finally taken place. Mayor Gilbert told Mr. Pessolano that a resident complained at the last meeting about problems with occupied properties. Mr. Pessolano said there are some but they represent the minority of problem homes. Comm. Reiner told the Committee that the problems with owner occupied properties is isolated and he is reluctant to expand the power of planning and zoning to regulate them. Comm. O'Brien asked about 75 Barley Sheaf Road. Mr. Pessolano said there has been activity and violations have been issued. Comm. O'Brien asked how can he tell from the spreadsheet if a home is in compliance. Mr. Pessolano said compliance is a moving target. Mr. Pessolano said when he gets a complaint, he conducts an inspection, send a violation notice and follows up when the time to abate the problem has expired.

Legal Bills Mayor Gilbert said she did not think the information provided is not what was requested. Mayor Gilbert said the Committee will need further clarification.

Massage Parlor Regulation Att. Lehrer said the Committee can change massage parlor to massage therapy in the ordinance. Comm. Reiner said the Committee should not set a precedent of hurting legitimate businesses with a registration fee. Mayor Gilbert said the Township can have registration without a fee. Comm. Reiner said he does support fines

and penalties for criminal offenses. Att. Lehrer said the Committee has the power to reduce or eliminate the registration fee in the Ordinance. Mayor Gilbert asked the Committee to review the Ordinance and provide your comments to Att. Lehrer.

Phone System Update Mayor Gilbert said Johnson Communication has a new proposal that now includes DPW building. Mayor Gilbert said the price increased by about \$3,800.

Habitat for Humanity Mayor Gilbert said she meet with Habitat for Humanity representative to discuss properties along Route 523 to determine if they are viable for a project.

Best Practices Worksheet The Committee reviewed the worksheet. Mayor Gilbert asked for a roll call vote to approve the worksheet as proposed.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member			X	
Michael Mangin, Deputy Mayor			X	
Craig O'Brien, Committee Member				X
Lou Reiner, Committee Member				X
Karen Gilbert, Mayor			X	

Lease Copier from Ricoh this item was tabled until the Nov. meeting.

Deer Management Les Giese from Hunters Helping the Hungry made a presentation about his organizations efforts to donate venison to local food banks. Mr. Giese said the food banks are always looking for more venison and will take as much as they can send them. Jodi Powers from New Jersey Fish and Wildlife made a presentation regarding the state's deer management program. Ms. Powers told the Committee how deer help ticks spread Lyme's disease. Ms. Powers told the Committee that NJ is the first state to license Gonacoon but it is only used on captive deer, not free range populations. Ms. Powers said the deer must first be trapped, tranquilized and tagged as unfit for human consumption.

NEW BUSINESS

Wildlife Management Advisory Committee Recommendations Comm. Chen told the Committee that the township will solicit bids from gun clubs to hunt certain properties while individual hunters would be able to secure permits to hunt on other smaller parcels owned by the township. Don Hutchins told the Committee the details of each bid specification. Comm. Chen said the funds raised through the bids and permits would be dedicated toward the program.

Outside Employment Policy Clerk Bray told the Committee that adopting the policy is recommended as part of the state Best Practices program. Clerk Bray said the policy sets the guidelines on how employees could hold another job.

Return of Performance Bond to Stavola Flemington Land LLC Township Engineer Tony Hajjar told the Committee that the developer has satisfied the requirements to release the bond.

Return of Performance Bond to Edmund Traupmann Mr. Hajjar told the Committee the improvements have been completed to allow the release of the bond

Approve Inactive Liquor License for CRI Flemington Att. Lehrer told the Committee the renewal has ABC approval.

9/11 Memorial Clock Mr. Hajjar said the timepiece is not working properly and need repair. Mr. Hajjar said the repair is costly due to the type of mechanism used inside. Mr. Hajjar told the Committee the one option would be to set the time to the times of the four planes crashed on Sept. 11, 2001. Mr. Hutchins told the Committee that the costs are \$6,000 for a repair including new equipment or \$3,219 for refurbishment of the existing equipment. Mr. Hutchins told the Committee there is money in the budget for the project.

Comm. O'Brien made a motion to replace the clock mechanism, seconded by Comm. Chen.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor			X	
Craig O'Brien, Committee Member	X		X	
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	

Vote: 5-Yea, 0-No, motion approved.

DPW Replacement Hires Mr. Hutchins told the Committee two employees are retiring and asked its approval to replace them. Mr. Hutchins said new hires will have lower salaries and the township will save approximately \$64,000. Voice Vote – 5-0 to advertise the two open positions.

Open Space Tax Renewal Presentation Mayor Gilbert said the Township has an Open Space Tax the sunsets at the end of the year and a renewal ordinance is up for a vote. Mayor Gilbert recognized Amy Greene, Chair of the Open Space Committee to make a presentation on the Open Space Tax. Ms. Greene said the original referendum passed in 1996 and a tax of 2 cents per \$100 of assessed value was approved. Ms. Greene told the Committee a tax of 1.5 cents per hundred would raise about \$600,000 annually. Ms. Greene told the Committee the tax would also fund local shares that are required for many state and federal open space grants. Ms. Greene told the Committee the state Green Acres program requires a minimum of a half cent open space tax to qualify for its funding. Ms. Greene told the Committee that the Open Space Committee does not support any reduction in the Open Space Tax.

ORDINANCES

Ordinance 16-16 Mayor Gilbert asked for a motion to opened the public hearing for Ordinance 16-16. The motion was made by Comm. Reiner, Seconded by Comm. Chen. Voice vote: 5-0, motion adopted.

Barbara Sachau- 2 Glenway Dr. Ms. Sachau told the Committee she was opposed to the ordinance.

Loren Robertson – Croton Rod and Gun Club, 31 Rake Road – Mr. Robertson told the Committee that his is in favor of the ordinance.

There was no further comment.

Mayor Gilbert asked for a motion to close the Public Hearing on Ordinance 16-16. The Motion was made by Comm. Reiner, Seconded by Comm. Chen. Voice Vote: 5-0, Motion adopted.

Mayor Gilbert asked for a Motion to adopt Ordinance 16-16 on final consideration same to be published according to law. The Motion was made by Comm. Chen, Seconded by Comm. Reiner.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member	X		X	
Michael Mangin, Deputy Mayor			X	
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member		X	X	
Karen Gilbert, Mayor			X	

Vote: 5-Yea, 0-No, Motion adopted.

ORDINANCE #16-16

AN ORDINANCE AMENDING TITLE 9 ENTITLED "PUBLIC PEACE, MORALS AND WELFARE" AND TITLE 12 ENTITLED "STREETS, SIDEWALKS AND PUBLIC PLACES" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN

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

Section 1. Section 9.04.040 entitled "Regulation of firearms" of Chapter 9.04 entitled "Offenses Against Public Peace" of Title 9 entitled "Public Peace, Morals and Welfare" of The Revised General Ordinances of the Township of Raritan is hereby amended to read as follows:

Section 9.04.040 Regulation of [firearms] weapons.

A. No person shall shoot any device at, [or] into or upon any street, sidewalk, curb, alley, highway, park or other public place, quasi-public place or place to which the public is invited, or into any car[,] or vehicle, or into or upon private property not his or her own without the express consent of the owner of such private property, except as allowed by Section 12.48.030 in accordance with the Township of Raritan Wildlife Management Program to be adopted by Resolution of the Raritan Township Committee, as such Resolution may be amended from time to time.

B. For the purposes of this Section, "Device" shall mean firearms of any description in which loaded or blank cartridges may be used, as well as air guns, spring guns, bows, slings or any other form of weapon potentially dangerous to wildlife or human safety.

Section 2. Section 12.48.020 entitled "Hours of Operation" of Chapter 12.48 entitled "Open Space and Recreation Areas" of Title 12 entitled "Streets, Sidewalks and Public Places" of The Revised General Ordinances of the Township of Raritan is hereby amended to read as follows:

Except as otherwise posted, all open space and recreation areas shall open at seven a.m. in the forenoon and shall close in the evening. Closing times will vary with the seasons and will be posted in the particular open space/recreation area, but in no event shall closing be later than ten p.m. No person shall enter upon or remain within an open space or recreation area except during its hours of operation, except that any person who is authorized pursuant to the Raritan Township Wildlife Management Program may have access to his or her designated property according to the Wildlife Management Program in effect at the time.

Section 3. Section 12.48.030 entitled "Rules and Regulations" of Chapter 12.48 entitled "Open Space and Recreation Areas" of Title 12 entitled "Streets, Sidewalks and Public Places" of The Revised General Ordinances of the Township of Raritan is hereby amended by the amendment of paragraph 1 to read as follows:

1. No person shall damage, deface, cut, carve, transplant or remove any tree or plant or injure the bark, pick the flowers, fruits, berries or seeds, of any tree or plant[, Nor] , nor shall any person attach any rope, wire or other contrivance to any tree or plant, except that a treestand may be permitted on certain properties as designated and authorized by the Township Committee in connection with the Township of Raritan Wildlife Management Program to be adopted by Resolution of the Raritan Township Committee, as such Resolution may be amended from time to time.

Section 4. Section 12.48.030 entitled "Rules and Regulations" of Chapter 12.48 entitled "Open Space and Recreation Areas" of Title 12 entitled "Streets, Sidewalks and Public Places" of The Revised General Ordinances of the Township of Raritan is hereby amended by the amendment of paragraph 7. to read as follows:

7. No person shall bring into, carry or have in his or her possession, use or discharge any firearm or weapon, as defined in N.J.S. 2C:39-1(r), or as may be amended, unless the firearm or weapon is being used in accordance with the Township of Raritan wildlife management program to be adopted by a Resolution of the Raritan Township Committee, as such Resolution may be amended from time to time.

Section 5. Section 12.48.030 entitled "Rules and Regulations" of Chapter 12.48 entitled "Open Space and Recreation Areas" of Title 12 entitled "Streets, Sidewalks and Public Places" of The Revised General Ordinances of the Township of Raritan is hereby amended by the amendment of paragraph 14. to read as follows:

14. No person shall enter or leave any open space or recreational area except through established entrance or exit ways, or as directed by the Superintendent of the Raritan Township Department of Public Works.

Section 6. Section 12.48.030 entitled "Rules and Regulations" of Chapter 12.48 entitled "Open Space and Recreation Areas" of Title 12 entitled "Streets, Sidewalks and Public Places" of The Revised General Ordinances of the Township of Raritan is hereby amended by the amendment of paragraph 20. to read as follows:

20. Parking of motor vehicles shall only be in parking lots at each facility specifically designated for such use. No vehicles are to be parked or driven on any turf area or areas designated for other specific activities, except for Township authorized vehicles and as allowed by the Superintendent of the Raritan Township Department of Public Works.

Section 7. 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 8. The Ordinance shall take effect upon its adoption, passage and publication according to law.

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

Ordinance 16-17 Mayor Gilbert asked for a Motion to open the Public Hearing on Ordinance 16-17. The Motion was made by Comm. Reiner, Seconded by Comm. Chen. Voice Vote: 5-0, Motion approved. Att. Lehrer gave the Committee a synopsis of the ordinance. There were no further comments. Mayor Gilbert asked for a Motion to closed the Public Hearing on Ordinance 16-17. The Motion was made by Comm. Mangin, Seconded by Comm. Chen. Voice Vote 5-0, Motion adopted. Mayor Gilbert asked for a Motion to adopt Ordinance 16-17 on final consideration same to be published according to law. The Motion was made by Comm. Mangin, Seconded by Comm. Chen.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor	X		X	
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	

Vote: 5-Yea, 0-No, Motion adopted.

ORDINANCE #16-17

WHEREAS, on December 12, 2006, Leffler Hill Associates, Inc. ("Leffler Hill") received final subdivision approval from the Planning Board (the "Planning Board Approval") for a four (4) lot subdivision on property known as Lot 22, Block 59 (before subdivision) as shown on the Tax Map of the Township of Raritan, which approval was memorialized by Resolution dated January 9, 2007 (the "Resolution of Approval"); and

WHEREAS, as set forth in the Resolution of Approval, the Planning Board Approval was granted pursuant to certain conditions, including the execution of a Developers Agreement, the posting of a performance guarantee and the conveyance to Raritan Township of certain easements, including but not limited to, an underground water storage tank and access easement and a drainage easement; and

WHEREAS, the Planning Board Approval also required the dedication to Raritan Township from Leffler Hill of a portion of Lot 22, Block 59 (before subdivision) for roadway and utility purposes in order to create a new cul-de-sac road commonly known as Tamarack Court, and also a portion of Block 59, Lot 22.01 (after subdivision) for roadway and utility purposes for Leffler Hill Road; and

WHEREAS, in accordance with the Planning Board Approval, Leffler Hill executed a Developers Agreement dated July 13, 2007, and posted a performance guarantee in the amount of \$212,679.60 (the "Performance Guarantee") for the installation of public improvements; and

WHEREAS, Leffler Hill granted to Raritan Township an underground water storage tank and access easement (the "Fire Suppression Easement") dated May 14, 2007 across a portion of Block 59, Lot 22.02 (after subdivision),, which Fire Suppression

Easement was recorded in the Office of the Hunterdon County Clerk on June 15, 2007 in Deed Book 2186, Page 579; and

WHEREAS, Leffler Hill also granted to Raritan Township a drainage easement (the "Drainage Easement") dated May 14, 2007 across a portion of Block 59, Lots 22.03 and 22.04 (after subdivision), which Drainage Easement was recorded in the office of the Hunterdon County Clerk on June 15, 2007 in Deed Book 2186, Page 559; and

WHEREAS, as required by the Planning Board Approval, Leffler Hill executed a deed of dedication (the "Tamarack Deed of Dedication") dated May 14, 2007 granting to Raritan Township, for roadway and utility purposes, a portion of Block 59, Lot 22 (before subdivision), which Tamarack Deed of Dedication was recorded in the Office of the Hunterdon County Clerk on June 15, 2015 in Deed Book 2186, Page 599; and

WHEREAS, the metes and bounds description of the paper street known as Tamarack Court ("Tamarack Court") is as more fully described in the Tamarack Deed of Dedication by "Metes and Bounds Description, Tamarack Court, Block 59, Lot 22, Raritan Township, Hunterdon County, New Jersey", prepared by Van Cleef Engineering Associates dated March 2, 2007, which Deed of Dedication is attached hereto as Exhibit A; and

WHEREAS, on February 18, 2016, Leffler Hill received from the Raritan Township Zoning Board (the "Zoning Board"), approval (the "Zoning Board Approval") of a c "2" frontage variance to allow consolidation of three of the previously subdivided lots to create one large lot (the "Lot Consolidation"), which approval was memorialized by Resolution No. 2016-02 dated May 19, 2016; and

WHEREAS, the Zoning Board Approval was granted subject to, among other things, the conditions that (i) Leffler Hill apply to the Township Committee to obtain a vacation of the Tamarack Court road dedication, and that (ii) Leffler Hill return to the Raritan Township Planning Board (the "Planning Board") if it seeks relief from the requirement of the prior Planning Board Approval to install an underground fire water storage tank; and

WHEREAS, Leffler Hill requested from the Planning Board the removal of certain conditions which were no longer necessary as a result of the Lot Consolidation, and was advised to seek prior approval from the Raritan Township Committee for the vacation of the Fire Suppression Easement, the Drainage Easement, the Tamarack Deed of Dedication and the Developers Agreement, as well as the return of the Performance Guarantee; and

WHEREAS, Leffler Hill, through its counsel, has submitted a letter to the Township Committee requesting that the Township Committee consider the matter, and agree to vacate the Fire Suppression Easement, the Drainage Easement, the Tamarack Deed of Dedication and the Developers Agreement, and to return the Performance Guarantee to Leffler Hill; and

WHEREAS, Tamarack Court remains a "paper street", not having been paved or improved and the Township Committee of the Township of Raritan has determined that Tamarack Court is no longer needed for public purposes, and that the public interest will be better served by extinguishing Tamarack Court from such public dedication; and

WHEREAS, N.J.S.A. 40:67-19 authorizes the Township to release and extinguish the rights of the public and the rights of the Township in and to Tamarack Court; and

WHEREAS, the Township Committee has reviewed the letter submitted by Leffler Hill, which has also been reviewed by the Township Attorney, and now desires to

vacate the Fire Suppression Easement, the Drainage Easement, the Tamarack Deed of Dedication and the Developers Agreement, and return the Performance Guarantee to Leffler Hill, as the Lot Consolidation will negate the necessity of certain conditions of the Planning Board Approval, and public improvements will no longer be installed

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

1. The Township Committee hereby consents to the vacation of the Developers Agreement, and authorizes the return of the Performance Guarantee in the amount of \$212,679.60, as no public improvements will be installed, subject to satisfaction with incomplete items.

2. The Township Committee hereby consents to the vacation of the Fire Suppression Easement referenced herein and the Drainage Easement referenced herein.

3. The Mayor and Township Clerk are hereby authorized to execute any and all documents consistent with this Ordinance for the vacation of the Fire Suppression Easement, the Drainage Easement, which documents shall be prepared by Leffler Hill subject to the review and approval of the Township Attorney, which documents shall be recorded in the office of the Hunterdon County Clerk.

4. The rights of the public and the rights of the Township in and to Tamarack Court to are hereby extinguished and vacated.

5. There is expressly reserved and excepted from vacation all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street or any part thereof to be vacated.

6. There is also expressly reserved and excepted from vacation any sanitary sewer or drainage structures and any easements in, adjacent to, over or under the street or portion thereof to be vacated, except for the Fire Suppression Easement and the Drainage Easement specifically vacated hereby.

7. The lands being vacated, as more fully described in the Deed of Dedication attached hereto and made a part hereof as Exhibit A, shall be consolidated into existing lots 22.01, 22.02, 22.03 and 22.04, Block 59. Deeds to perfect the consolidation shall be prepared by Leffler Hill, subject to the review and approval of the Township Attorney, and shall be recorded in the office of the Hunterdon County Clerk.

8. After this Ordinance has been introduced and passed a first reading, the Township Clerk shall cause this Ordinance to be published in the manner set forth in N.J.S.A. 40:49-2 not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage.

9. At least seven (7) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the Township Clerk in accordance with the provisions of N.J.S.A. 40:49-6, the cost of such mailing to be borne by Leffler Hill.

10. The Township Clerk shall, within sixty (60) days of the effective date of this Ordinance, file a copy of this Ordinance certified by the Township Clerk under seal of the Township to be a true copy thereof, together with a copy of the proof of

publication thereof, in the office of the Hunterdon County Clerk in accordance with the provisions of N.J.S.A. 40:67-21.

11. The vacation of the Fire Suppression Easement approved hereby shall be subject to the further approval of the Planning Board as required by condition 2. of the Zoning Board Approval.

12. The Conservation Easement, Sight Triangle Easement and Deed of Dedication for Leffler Hill Road granted to the Township as required the Planning Board Approval shall not be vacated, and all rights granted to the Township therein shall remain in full force and effect.

Ordinance 16-19 Mayor Gilbert asked for a Motion to introduce Ordinance 16-19 on first consideration, same to be published according to law with a Public Hearing and final vote scheduled for the meeting of Nov. 14, 2016 beginning at 7 pm at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard. Att. Lehrer told the Committee that the rate for 2020 should read 1.0 cents The Motion as amended was made by Comm. Chen, Seconded by Mayor Gilbert.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member	X		X	
Michael Mangin, Deputy Mayor				X
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor		X	X	

Vote: 4-Yea, 1-No, Motion adopted.

ORDINANCE #16-19

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING CHAPTER 2.88 ENTITLED "OPEN SPACE ADVISORY COMMITTEE AND TRUST FUND" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN, TO EXTEND THE OPEN SPACE TAX AUTHORIZATION.

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

Section I. Chapter 2.88 entitled "Open Space Advisory Committee and Trust Fund" of Title 2 entitled "Administration and Personnel" of The Revised General Ordinances of the Township of Raritan is hereby amended by the amendment of Section 2.88.020 to read as follows:

2.88.020 Funding of open space trust fund.

In 1997, a special tax rate shall be added to the total Township tax rate in the amount of two cents (\$0.02) per one hundred dollars (\$100.00) of the 1997 assessed valuation and each succeeding year's valuation with the funds raised therefrom to be deposited in the reserve for open space funds. The special tax rate shall remain the applicable tax rate to be applied for the reserve for open space funds in succeeding years. Effective in the year 2008 the special tax rate shall be one and one half cents (\$.015) of said assessed valuation. Effective in the year 2017, the special tax rate shall be modified as follows:

Year	Special Tax Rate
2017	1.5 cents per 100 dollars of said assessed valuation

2018 1.5 cents per 100 dollars of said assessed valuation
2019 1.5 cents per 100 dollars of said assessed valuation
2020 1.0 cents per 100 dollars of said assessed valuation
2021 0.5 cents per 100 dollars of said assessed valuation

The special tax rate shall remain the applicable tax rate to be applied for the reserve for open space funds in succeeding years. The Chief Financial Officer of the Township shall report annually to the fund's status, balances and transactions.

The reserve for open space funds shall also be permitted to accept donations and testamentary bequests. The funds accumulated within the reserve for open space funds shall be utilized for the acquisition of real estate and interests in real estate as more fully delineated in Section 2.88.010. In connection with such acquisition, the funds may also be utilized for appraisals and other items of expense permitted by law in connection with the acquisition or as a down payment for the issuance of bonds or for debt service for the same purpose at the discretion of the Township Committee. Any and all interest accruing on the funds shall remain in the reserve for open space funds and may be utilized for the above described purposes. In no eventuality, shall the Township pay more than fair market value for the land to be acquired. The Township shall obtain a minimum of two appraisals from certified appraisers plus the evaluation of the Township Tax Assessor, as a guide to the fair market value.

Section II. Chapter 2.88 entitled "Open Space Advisory Committee and Trust Fund" of Title 2 entitled "Administration and Personnel" of The Revised General Ordinances of the Township of Raritan is hereby amended by the amendment of Section 2.88.080 to read as follows:

2.88.080 Termination of chapter provisions.

This chapter shall be effective for a limited period to and until [December 31, 2006] December 31, 2021, at which time this chapter shall terminate and be repealed, unless prior thereto, the Township Committee conducts a public review of the open space acquisition and funding program, and the Township Committee amends this chapter to extend its lifespan.

Section III. 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.

Section IV. 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 provisions of the Revised General Ordinances of the Township of Raritan are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section V. This Ordinance shall take effect upon final passage and publication according to law.

Notice to Codifier: [] denotes a deletion to original text;

Ordinance 16-20 Mayor Gilbert asked for a Motion to introduce Ordinance 16-20 on first consideration, same to be published according to law with a Public Hearing and final vote scheduled for the meeting of Nov. 14, 2016 beginning at 7 pm at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard. The Motion was made by Comm. Chen, Seconded by Comm. Mangin.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member	X		X	
Michael Mangin, Deputy Mayor		X	X	
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	

Vote: 5-Yea, 0-No, Motion adopted.

ORDINANCE #16-20

AN ORDINANCE AMENDING TITLE 10 ENTITLED "VEHICLES AND TRAFFIC" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY AMENDING CHAPTER 10.12 ENTITLED "TRAFFIC REGULATIONS FOR SPECIFIC STREETS" TO ADD NEW SECTION 10.12.060 ENTITLED "NO PARKING ON CERTAIN ROADS AT CERTAIN TIMES."

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

Section 1. Chapter 10.12 entitled "Traffic Regulations for Specific Streets" of Title 10 entitled "Traffic and Vehicles" of the Revised General Ordinances of the Township of Raritan is hereby amended by the addition of Section 10.12.060 entitled "No parking on certain streets at certain times" to read as follows:

10.12.060 No parking on certain streets at certain times.

On Monday through Friday from 7:00 a.m. to 3:00 p.m., no person shall park on Junction Road Extension as designated on the map attached hereto and made a part hereof.

Section 2. The Ordinance shall take effect upon its adoption, passage and publication according to law.

Section 3. A certified copy of this Ordinance, once adopted, shall be forwarded to Ralph Runge, Supervising Engineer, County of Hunterdon, 14 State Route 12, P.O. Box 2900 Flemington, NJ 08822-2900.

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

Ordinance 16-21 Mayor Gilbert asked for a Motion to introduce Ordinance 16-21 on first consideration, same to be published according to law with a Public Hearing and final vote scheduled for the meeting of Nov. 14, 2016 beginning at 7 pm at the Municipal Building, One Municipal Drive, Flemington, New Jersey at which time all interested persons will be heard. The Motion was made by Comm. Chen, Seconded by Comm. Reiner.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member	X		X	
Michael Mangin, Deputy Mayor			X	
Craig O'Brien, Committee Member				X
Lou Reiner, Committee Member		X		X
Karen Gilbert, Mayor			X	

Vote: 3-Yea, 2-No, Motion adopted.

ORDINANCE #16-21

AN ORDINANCE AMENDING TITLE 10 ENTITLED "VEHICLES AND TRAFFIC" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY AMENDING CHAPTER 10.12 ENTITLED "TRAFFIC REGULATIONS FOR SPECIFIC STREETS" TO PROHIBIT STOPPING OR STANDING ON AMWELL ROAD/CR 514.

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

Section 1. Section 10-12.010 entitled "Stopping or standing prohibited at all times on certain streets" of Chapter 10.12 entitled "Traffic Regulations for Specific Streets" of Title 10 entitled "Traffic and Vehicles" of the Revised General Ordinances of the Township of Raritan is hereby amended to establish "No Stopping or Standing" zones on certain portions of Amwell Road/CR514 as designated on the map attached hereto and made a part hereof.

Section 2. Schedule II on file in the Township Clerk's office shall be amended to add the "No Stopping or Standing" zones on those portions of Amwell Road/CR514 as designated on the map attached hereto and made a part hereof.

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

Section 4. A certified copy of this Ordinance, once adopted, shall be forwarded to Ralph Runge, Supervising Engineer, County of Hunterdon, 14 State Route 12, P.O. Box 2900 Flemington, NJ 08822-2900.

CORRESPONDENCE

Mayor Gilbert asked if the Committee had any questions or wanted to discuss any items of Correspondence. Att. Lehrer told the Committee that the new administrator would need to address the letter from J. Douglass Orr immediately.

NON-CONSENT AGENDA

CONSENT AGENDA

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

Mayor Gilbert told the Committee that item A, Res. 16-217 was tabled. Mayor Gilbert asked the Committee if there were any items on the Consent Agenda they wanted pulled for discussion or a separate vote. Comm. O'Brien asked Res. 16-224, 16-226 and 16-227 be pulled for separate votes.

Mayor Gilbert asked for a Motion to approve the remaining items on the Consent Agenda. The Motion was made by Comm. Mangin, Seconded by Comm. Chen.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor			X	
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member	X		X	
Karen Gilbert, Mayor			X	

Vote, 5-Yea, 0-No, Motion approved.

RESOLUTION #16-221

WHEREAS, Stavola Flemington Land, LLC provide a Performance Bond No 13BCSGV9389 from the Hartford Fire Insurance Agency for the installation of fire hydrants and a water main along Pennsylvania Avenue; and

WHEREAS, Stavola Flemington Land, LLC has requested the release of Bond No 13BCSGV9389 from the Hartford Fire Insurance Agency; and

WHEREAS, Township Engineer, Antoine Hajjar, recommends the release of Bond No 13BCSGV9389 from the Hartford Fire Insurance Agency; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Bond No 13BCSGV9389 from the Hartford Fire Insurance Agency provided by Stavola Flemington Land, LLC is released.

RESOLUTION #16-222

WHEREAS, Edmund Traupmann posted a \$800 driveway bond in 2000; and

WHEREAS, Edmund Traupmann sold his home in 2004; and

WHEREAS, Township Engineer, Antoine Hajjar, recommends the return of the driveway bond; and

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 driveway bond posted by Edmund Traupmann in the amount of \$800 is hereby returned.

RESOLUTION #16-223

WHEREAS, an application, municipal fee and Tax Clearance Certificate have been received by the Acting Township Clerk of the Township of Raritan for the renewal of a previous liquor license issued by the Mayor and Township Committee of the Township of Raritan; and

WHEREAS, notice of the renewal of the license has been published under the direction of the Director of Alcohol and Beverage Control and no objections to the renewal of this license has been received by the Clerk; and

WHEREAS, this renewal application has been reviewed by the Acting Clerk of the Township of Raritan and the Police Department and, since no objections were received, recommends the renewal of the liquor license.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following liquor license be renewed for one year beginning July 1, 2016 to June 30, 2017:

CRI Flemington Inc.
 41 Route 31
 Flemington, NJ 08822
 License #1021-33-014-004
 License Fee \$2,500.00

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, William Bray, shall sign, issue and deliver such certificates of license to the above licensee on behalf of the Township of Raritan.

BE IT FURTHER RESOLVED, that the Acting Clerk of the Township of Raritan, William Bray, shall send a copy of this resolution to the Division of Alcohol Beverage Control.

Resolution #16-224 Mayor Gilbert asked for a Motion to Approve Res. 16-224. The Motion was made by Comm. Mangin, Seconded by Comm. Chen. Comm. O'Brien asked if the policy has been shared with employees. Att. Lehrer told the Committee that the Acting Administrator would need to determine which employees currently have outside employment and how it is impacted by the policy. Mr. Lehrer. Att. Lehrer said the policy can be amended at any future meeting.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor	X		X	
Craig O'Brien, Committee Member				X
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	

Vote: 4-Yea, 1-No, Motion adopted.

Resolution #16-226 Mayor Gilbert said the Committee decided earlier to appoint Don Hutchins Acting Administrator. Mayor Gilbert asked for a Motion to adopt Res. #16-226.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor	X		X	
Craig O'Brien, Committee Member				X
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	

RESOLUTION APPOINTING DONALD HUTCHINS AS ACTING TOWNSHIP ADMINISTRATOR FOR THE TOWNSHIP OF RARITAN.

WHEREAS, there is currently a vacancy in the position of the Township of Raritan Administrator; and

WHEREAS, N.J.S.A. 40A:9-137 and Chapter 2.12 of the Revised General Ordinances of the Township of Raritan allow the Township Committee to appoint an Acting Township Administrator by a majority vote; and

WHEREAS, the Township Committee desires to temporarily fill the position of Township Administrator until a permanent Township Administrator is selected and appointed; and

WHEREAS, the Township Committee desires to appoint Donald Hutchins as the Acting Township Administrator, subject to the terms of this Resolution; and
 WHEREAS, Section 2.12.030B of the Revised General Ordinances requires that the Township Administrator be and remain a resident of the Township unless the Township Committee waives this requirement; and

WHEREAS, the Township Committee hereby finds that the Acting Township Administrator lives in close proximity to the Township and because of the advancement of technology, the Acting Township Administrator is able to be in constant contact with

all Township officials, and the travel distance will not impede or negatively effect the Acting Township Administrator's performance or ready availability to the Township for the Township's normal business.

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

1. Donald Hutchins is hereby appointed as the Acting Township Administrator, effective October 24, 2016.
2. The duration of Mr. Hutchins' term as Acting Township Administrator shall be the first to occur of (i) the hiring and appointment of a permanent Township Administrator in accordance with Chapter 2.12 of the Revised General Ordinances of the Township of Raritan, or (ii) February 24, 2017; provided, however, that the Township Committee reserves the right to extend the term of the Acting Township Administrator by Resolution duly adopted by a majority vote of the Township Committee at that time.
3. For the reasons stated in the Whereas clauses set forth above, the Township Committee hereby waives the residency requirement for the Acting Township Administrator.
4. The Acting Township Administrator shall be paid in accordance with the terms of his existing union contract.
5. This Resolution shall take effect immediately.

Resolution #16-227 Mayor Gilbert asked for a motion to adopt Resolution #16-227. The Motion was made by Comm. Chen, Seconded by Comm. Mangin.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member	X		X	
Michael Mangin, Deputy Mayor		X	X	
Craig O'Brien, Committee Member				X
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	

Vote: 4-Yea, 1-0, Motion adopted.

RESOLUTION APPOINTING BRION FLEMING AS ACTING SUPERINTENDENT OF PUBLIC WORKS.

WHEREAS, effective October 24, 2016, Donald Hutchins, the current Superintendent of Public Works, shall assume the responsibilities of Acting Township Administrator; and WHEREAS, during Mr. Hutchins' service as Acting Township Administrator, there is a need for an Acting Superintendent of Public Works.

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

1. Brion Fleming is hereby appointed as the Acting Superintendent of Public Works for the same period of time that Donald Hutchins serves as the Acting Township Administrator for the Township of Raritan.
2. Brion Fleming shall be paid for his services as Acting Superintendent of Public Works in accordance with the terms of his existing union contract.
3. This Resolution shall take effect immediately.

**PRIVILEGE OF
THE FLORR**

Mayor Gilbert asked if there was anyone who wished to address the Committee on any issue for up to three minutes.

Loren Robertson-Croton Road and Gun Club 31 Rake Road, Mr. Robertson thanks the Committee for adopting the hunting ordinance. Mr. Robertson told the Committee a brief overview of the club's 50-year history and efforts to support local charities and the fees its pays to the township, county and state. Mr. Robertson told the Committee that the minimum bid for hunting rights is too high.

Barbara Sachau – 2 Glenview Drive – Ms. Sachau told the Committee that it has received postcards from resident who don't support hunting. Ms. Sachau said driver should be personally responsible for any deer they hit with their cars.

Att. Lehrer told the audience that the Public Comment section is not a forum for personal attacks.

**EXECUTIVE
SESSION**

ADJOURNMNET

Mayor Gilbert asked for a motion to adjourn.
The motion was made by Comm. Mangin and seconded by Comm. Reiner.
Vote: 5-Yea, 0-No. Motion carried.
Meeting adjourned at 9:56 pm.

Respectfully submitted,

William Bray
Acting Township Clerk

The Township Committee of the Township of Raritan met on Nov. 1, 2016 at the Municipal Building, One Municipal Drive, Flemington, New Jersey.

MEETING CALLED: Mayor Gilbert called the meeting to order at 6:00 pm.

ROLL CALL: The following were present: Mayor Karen Gilbert, Deputy Mayor Michael Mangin, Comm. Richard Chen, Comm. Craig O'Brien and Comm. Lou Reiner. Also present Acting Township Administrator Don Hutchins, and Att. Jeff Lehrer.

MEETING ADVERTISED: Mayor Gilbert advised that the meeting was advertised in accordance with the Open Public Meetings Act in the February 25th, 2016 issue of the Hunterdon County Democrat and was posted on the office bulletin board and the Township Website.

Att. Lehrer read Resolution #16-228 in full.

RESOLUTION #16-228

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: Health Insurance
 - b) Open Space: N/A
 - c) Personnel: 911 Coordinator, Township Planner, Zoning Officer, Assistant Engineer
 - d) Potential Litigation: Linque/Pulte Lawsuit
 - e) Attorney Client Privilege: N/A
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 come back into Regular Session and may take further action.
5. This Resolution shall take effect immediately.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor	X		X	
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	

Vote 5-Yea, 0-No. Motion carried.

**CLOSED
SESSION:**

Closed session Minutes are on a separate document.

**OPEN
SESSION:**

The Committee came out of Closed Session at 7:06 p.m. The public portion of the meeting began at 7: 09 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mayor Gilbert asked all to join in the Pledge of Allegiance to our Flag and to remain standing for a Moment of Silence to remember our Men and Women serving in the Armed Forces and in Particular Those Serving in Troubled Areas Around the World.

**PUBLIC
COMMENT**

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

Barbara Sachau – 2 Glenway Drive, Ms. Sachau told the that more than 100 people sent in post cards against deer hunting. Ms. Sachau told the Committee that public meeting for different boards should not be on the same night so people can attend all of the meetings.

There were no further comments

**LIASION
REPORTS**

Mayor Gilbert told the Committee that she and Comm. Mangin will be meeting with the capacity task force and inviting them to a future meeting.

**FINANCIAL
ISSUES**

Payment of Bills as Listed for Raritan Township: \$5,104,146.16

Mayor Gilbert asked if anyone had any questions on the bills list or wanted any item pulled for discussion or a separate vote. Comm. O'Brien asked about bills for water bottles.

Mayor Gilbert asked for a motion to approve the Bill Listed for the Raritan Township. Motion was made by Comm. Mangin, seconded by Comm. Chen.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor	X		X	
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	

Vote, 5-Yea, 0-No. Motion carried.

Payment of Bills as Listed for Raritan Township Fire Company: \$11,369.06

Mayor Gilbert asked if anyone had any questions on the bills list or wanted any item pulled for discussion or a separate vote.

Mayor Gilbert asked for a motion to approve the Bill Listed for the Raritan Township. Motion was made by Comm. Reiner, seconded by Comm. Chen.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor				A
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member	X		X	
Karen Gilbert, Mayor			X	

Vote, 4-Yea, 0-No, 1-Abstain. Motion carried.

**LIAISON
 REPORTS**

Comm. Mangin said the Planning Board meeting for December has been changed.

**UNFINISHED
 BUSINESS**

Assistant Engineer Mayor Gilbert said it was discussed in closed session and a resolution is on the Consent Agenda. Mayor Gilbert said the Committee previously voted to advertise the position and conduct interviews and a salary range.

Massage Therapy Att. Lehrer told the Committee that the proposed ordinance has been amended to read Massage Therapy instead of Massage Parlor and the application fee was removed. Mayor Gilbert said the goal of the ordinance is to prevent illicit businesses that promote prostitution from operating within the township. Att. Lehrer said he would make the additional changes and send the Committee a revised draft.

Part-Time Building Inspectors Mayor Gilbert told the Committee that she and Mr. Hutchins met with Hans Warnebold and Thomas Abraham about staffing in the Code Enforcement Department. Mayor Gilbert told the Committee there are delays in permitting. Mr. Hutchins said additional staff is required to complete plan reviews in a timelier manner. Mr. Hutchins told the Committee that the positions would be temporary. Mayor Gilbert asked for a Motion to authorized the Code Enforcement Office to advertise two part-time positions. The Motion was made by Comm. Mangin, Seconded by Comm. Chen.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member		X	X	
Michael Mangin, Deputy Mayor	X		X	
Craig O'Brien, Committee Member				X
Lou Reiner, Committee Member				X
Karen Gilbert, Mayor			X	

Vote: 3-Yea, 2-No, Motion Adopted.

Clerk Bray told the Committee that it also needs to take official action on the Fire Inspection hires discussed in Closed Session. Mayor Gilbert told the Committee it came to a consensus to hire full-time deputy fire marshal, full time fire safety inspector and a part-time fire safety inspector. Mayor Gilbert asked for a Motion to approve posting the open positions. The Motion was made by Comm. Chen, Seconded by Comm. Mangin.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member	X		X	
Michael Mangin, Deputy Mayor		X	X	
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member			X	
Karen Gilbert, Mayor			X	

Vote: 5-Yea, 0-No, Motion Adopted.

Comm. Chen asked Mr. Hutchins to provide the Committee with an update on the Open Space funding. Mayor Gilbert asked the matter be tabled to the Nov. 14 meeting.

Comm. O'Brien asked if any employee have registered under the Outside Employment Policy. Mr. Hutchins told the Committee that the policy has not yet been distributed to employees. Comm. O'Brien asked when the Administrator position would be advertised. Mayor Gilbert said the Committee has decided that it would post the position.

Legal Bills Comm. O'Brien asked about the legal bills from the Township Attorney. Mayor Gilbert said there were unpaid bills that had not been paid. Comm. O'Brien disagreed. Att. Lehrer said Closed Session matters should not be discussed in Open Session.

NEW BUSINESS

Township Planner Mayor Gilbert told the Committee the item was discussed and there would be further discussion about the department reorganization.

Technology Update Comm. Chen told the Committee the new PCs have arrived. The Municipal building then Police, then DPW buildings would have the new computers and new email system installed. Comm. Chen said there is a staff meeting regarding technology set for Wednesday, Nov. 1. Comm. Chen said the new phone system would be the last item completed.

Municipal Prosecutor Mayor Gilbert told the Committee that she, Chief Tabasko and Mr. Hutchins has begun interviews for the position. Mayor Gilbert said recommendation will be ready for Committee at a later meeting.

Budget Transfers Mayor Gilbert tabled the item to the Nov. 14 meeting.

Chapter 159 Budget Amendment Att. Lehrer told the Committee that the amendment is required to accept grant funds that are dedicated to an appropriation that are received after the adoption of the municipal budget.

Hunterdon County SWAT Team Clerk Bray told the Committee that the agreement is require for an officer to participate in the team and participation is by invite only. Att.

Lehrer said it's a standard agreement and the Committee would need to approve its execution. Mayor Gilbert said Chief Tabasko should come to the next meeting to discuss the request.

CR 611, Raritan Ave. – No Stopping/Standing Signage Mayor Gilbert told the Committee that the County wants to restrict parking on the road. Att. Lehrer told the Committee that an ordinance would need to be prepared to allow for parking restrictions on the road. Att. Lehrer asked the Committee to consider the request from the County to restrict parking and determine if he should prepare an ordinance or if the County would do so.

ORDINANCES

There were none.

CORRESPONDENCE

Comm. O'Brien asked about a letter in a previous packet regarding Hinline Towing. Att. Lehrer told the Committee that Mr. Hinline will need to decide if he wants to accept or appeal the decision of the Administrator regarding his removal from the Police towing list.

NON-CONSENT AGENDA

There was none.

CONSENT AGENDA

All matters listed on the Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately. Mayor Gilbert told the Committee that Resolution #16-232 was tabled.

Mayor Gilbert asked the Committee if there were any items on the Consent Agenda they wanted pulled for discussion or a separate vote. Comm. Reiner asked that Resolutions 16-229 and 16-235 be pulled for discussion and separate votes. Mayor Gilbert asked for a Motion to Approve the Consent Agenda as amended. The Motion was made by Comm. Mangin, Seconded by Comm. Reiner.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member			X	
Michael Mangin, Deputy Mayor	X		X	
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member		X	X	
Karen Gilbert, Mayor			X	

Vote: 5-Yea, 0-No, Motion Adopted.

RESOLUTION #16-234

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

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

WHEREAS, the Township of Raritan has been awarded \$3,066.36 from the Division of Criminal Justice for 2016 Body Armor and wishes to amend its 2016 Budget to include this amount as a revenue.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$3,066.36 which is available as a revenue from:

Miscellaneous Revenues

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

Public and Private Revenues Off-Set with
Appropriations:
2016 Body Armor

BE IT FURTHER RESOLVED that a like sum of \$3,066.36 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from Caps
Public and Private Programs Off-Set by
Revenues:
2016 Body Armor

Other Expenses

BE IT FURTHER RESOLVED that the Township Clerk forward the required Certification and a copy of this resolution to the Director of Local Government Services.

RESOLUTION #16-236

WHEREAS, there exists a vacancy in the Engineer's Office for the position of Assistant Township Engineer; and

WHEREAS, Engineer Antoine Hajjar and Acting Administrator Don Hutchins have interviewed prospective candidates and have recommended Christopher Nusser to the position of Assistant Township Engineer.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, New Jersey that Christopher Nusser is hereby appointed as Assistant Township Engineer at an annual salary of \$85,500, effective December 5, 2016.

RESOLUTION #16-237

RESOLUTION WAIVING ANY AND ALL BUILDING PERMIT FEES, INCLUDING INSPECTION FEES, APPLICABLE TO RARITAN TOWN SQUARE, LLC, FOR THE PRESERVATION AND RESTORATION OF THE OAK GROVE SCHOOL HOUSE.

WHEREAS, pursuant to the preliminary and final site plan approval granted by the Township of Raritan Planning Board, Raritan Town Square, LLC ("Raritan Town Square"), constructed a commercial development known as Raritan Town Square consisting of mixed commercial uses and open space on property designated as Block 16.01, Lots 35, 36 and 38 on the Tax Map of Raritan Township with the property being located along New Jersey State Highway 31 between Walter E. Foran Boulevard and

Minneakoning Road, as more particularly identified on the plan titled "Raritan Town Square, Block 16.01, Lots 35, 36 and 38, Township of Raritan, Hunterdon County, New Jersey", prepared by Menlo Engineering Associates, Inc., dated August 21, 2003, with the current revision dates varying ("Property"); and

WHEREAS, Raritan Town Square has the responsibility, pursuant to Condition 2a of "Raritan Township Planning Board Resolution No. 34-2006 Raritan Town Square, L.L.C., Final Site Plan Approval Block 16.01, Lots 35, 36 and 38 R.T.P.B. File No. SP-485-P/F" ("Planning Board Resolution") to "preserve the small schoolhouse [Oak Grove School House] in the northwest corner of the site, restore the schoolhouse to a habitable condition and lease same to the Raritan Historical Society for nominal consideration for its operation and maintenance during the term of the lease"; and

WHEREAS, Raritan Town Square and the Raritan Historical Society agreed that Raritan Town Square will serve as the general contractor overseeing the preservation and restoration of the Oak Grove School House through the volunteer labor of the Historical Society and that Raritan Town Square will, through the Historical Society, perform up to \$80,000.00 in preservation and restoration work at the Oak Grove School House; and

WHEREAS, Raritan Town Square will either pay a vendor directly or reimburse the Historical Society for the Society's out of pocket costs and expenses to preserve and restore the Oak Grove School House up to \$80,000.00; and

WHEREAS, Raritan Town Square agreed to pay, in addition to the \$80,000.00, the architectural fees of Christopher Pickell, AIA; and

WHEREAS, the Township of Raritan Township Committee hereby acknowledges that Raritan Town Square, by serving as general contractor and performing up to \$80,000.00 in preservation and restoration work at the Oak Grove School House fulfills Condition 2a of the Planning Board Resolution; and

WHEREAS, the Township Committee recognizes that the total expenditure Raritan Town Square has to make to preserve and restore the Oak Grove School House is \$80,000.00, and that Raritan Town Square will not charge any overhead or profit to the \$80,000.00, with the \$80,000.00 being a net amount; and

WHEREAS, because Raritan Town Square is performing a public function by acting as the general contractor to restore and preserve the Oak Grove School House, that any and all building permit fees, including inspection fees, are hereby waived; and

WHEREAS, the Township Committee believes it is in the best interests of the Township of Raritan to preserve and restore the Oak Grove School House.

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

1. Provided that Raritan Town Square, LLC, acts as the general contractor and spends \$80,000.00 in preserving and restoring the Oak Grove School House and paying the architectural fees of Christopher Pickell, AIA, Condition 2a of the Planning Board Resolution is fulfilled.
2. That the Township Committee of the Township of Raritan hereby waives any and all building permit fees, including inspection fees.
3. This Resolution shall take effect immediately.

RESOLUTION #16-238

WHEREAS, N.J.S. 40A4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by

law and the amount thereof was not determined at the time of the adoption of the budget; and

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

WHEREAS, the Township of Raritan has been awarded \$5,748.01 from the Division of Criminal Justice for 2016 Drunk Driving Enforcement Fund and wishes to amend its 2016 Budget to include this amount as a revenue.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$5,748.01 which is available as a revenue from:

Miscellaneous Revenues

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

Public and Private Revenues Off-Set with Appropriations:

2016 Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that a like sum of \$5,748.01 is hereby appropriated under the caption of:

General Appropriations

- (a) Operations Excluded from Caps
- Public and Private Programs Off-Set by Revenues:
- 2016 Drunk Driving Enforcement Fund
- Other Expenses

BE IT FURTHER RESOLVED that the Township Clerk forward the required Certification and a copy of this resolution to the Director of Local Government Services.

Mayor Gilbert told the Committee that the contract for animal control services was not formalized and the resolution is required. Clerk Bray told the Committee that Res. #16-229 would authorize and contract with the current vendor and Res. #16-235 authorizes the Township to solicit bids for a new contract. Mayor Gilbert asked for a Motion to adopt Res. #16-229 and Res. #16-235. The Motion was made by Comm. Mangin, Seconded by Comm. Reiner.

Roll Call	Moved	Seconded	Ayes	Nays
Richard Chen, Committee Member			X	
Michael Mangin, Deputy Mayor	X		X	
Craig O'Brien, Committee Member			X	
Lou Reiner, Committee Member		X	X	
Karen Gilbert, Mayor			X	

Vote: -Yea, -No, Motion adopted.

RESOLUTION #16-229

FAIR AND OPEN CONTRACT FOR ANIMAL CONTROL SERVICES

WHEREAS, a contract for Animal Control Services for the period April 1, 2015 – March 31, 2016 was awarded to Animal Control & Investigative Services, LLC on April 7, 2015; and

WHEREAS, the Township of Raritan will continued to utilize Animal Control & Investigative Services, LLC to provide Animal Control Services for the remainder of 2016; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available to extend the contract with Animal Control & Investigative Services, LLC as evidenced by the Certification of Availability of Funds 16-23 attached to this resolution. NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, New Jersey as follows:

1) That the contract for Animal Control Services shall be extended as follows:
Animal Control & Investigative Services, LLC
249 Goat Hill Road
Lambertville, NJ 08530
Effective April 1, 2016 – 12/31/16
\$20,700.00

2) That the Mayor and Township Clerk are hereby authorized and directed to execute a contract extension to memorialize the foregoing action.

RESOLUTION #16-235

WHEREAS, N.J.S.A. 40A:11-1 et seq. requires government agencies to utilize competitive bidding to award any contracts goods or services if those purchases would exceed \$17,500; and

WHEREAS, the Township of Raritan is in need of Animal Control Services that are anticipated to exceed \$17,500; and

WHEREAS, the Township of Raritan is desirous to solicit bids from vendors to secure the best possible price for Animal Control Services from the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, New Jersey authorizes the solicitation of bids for Animal Control Services.

PRIVILEGE OF THE FLORR

Mayor Gilbert asked if there was anyone who wished to address the Committee on any issue for up to three minutes.

Barbara Sachau – 2 Glenway Drive – Ms. Sachau told the Committee that public comment is not being allowed at the Wildlife Management Committee meetings. Ms. Sachau told the Committee there should be more civility to members of the public who speak at meetings.

Gene Lewandopwski 3 Phipps Court Mr. Phipps asked if the Administrator position would be advertised.

Mayor Gilbert said the position would be advertised.

There was no more public comment.

Mayor Gilbert asked for a Motion to adopt Resolution #16-239 to go into Closed Session. The Motion was made By Comm. Reiner, Seconded by Comm. Comm. Chen.

Vote: 5-Yea, 0-No, Motion adopted.

RESOLUTION #16-228

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: Health Insurance
 - b) Open Space: N/A
 - c) Personnel: 911 Coordinator, Township Planner, Zoning Officer, Assistant Engineer
 - d) Potential Litigation: Linque/Pulte Lawsuit
 - e) Attorney Client Privilege: N/A
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 come back into Regular Session and may take further action.
5. This Resolution shall take effect immediately.

**EXECUTIVE
SESSION**

Executive Session Minutes are on a separate document.

ADJOURNMENT

Mayor Gilbert asked for a motion to adjourn.

The motion was made by Comm. Mangin and seconded by Comm. Chen.

Vote: 5-Yea, 0-No. Motion carried.

Meeting adjourned at 8:02 pm.

Respectfully submitted,

William Bray
Acting Township Clerk

COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-81

WHEREAS, Trinity Solar has requested a refund of a zoning permit fee; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated March 9, 2017, and recommended the refund of the Zoning Permit Fee in the amount of \$30.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Zoning Permit Fee in the amount of \$30.00 paid by Trinity Solar, is hereby refunded.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

CERTIFICATION

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk



Township of Raritan

Finance Department (908) 806-6100/806-3892 (fax)
1 Municipal Drive
Flemington, NJ 08822

TO: William Bray, Acting Township Clerk
FROM: Danielle Langreder, Asst. Supervisor of Accounts
DATE: March 9, 2017
RE: Resolution - Refund of Zoning Permit Fee

Please be advised that I got a request from the Planning and Zoning Department to refund the following:

Name: Trinity Solar
2211 Allenwood Road
Wall, NJ 07719

AMOUNT: \$30.00

FOR: Zoning Permit

COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-82

ANIMAL CONTROL SERVICES BID AWARD

WHEREAS, sealed Bids were received and opened on March 9, 2019 at 11:00 am prevailing time for Animal Control Services; and

WHEREAS, the Township Committee has reviewed the recommendation made by the Acting Township Clerk William Bray attached to this Resolution; and

WHEREAS, the Chief Financial officer has determined that sufficient funds are available to award the contract for Animal Control Services, as evidenced by his Certification of Availability attached to this Resolution.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, New Jersey that the Contract for Animal Control Services be awarded to Animal Control Solutions, 2 Marshall Drive, Flemington, NJ 08822 for a period of two(2) years.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

CERTIFICATION

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk

CERTIFICATION OF AVAILABILITY OF FUNDS

No. 17-8

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: Provide one (1) year of Annual Central Services

Vendor: Annual Central Services, LLC

Amount(s): \$21,000/yr P.O. No. (if applicable)

2. Funds are available as follows:

Fund name: [] Current [] Capital [X] Other

Budget year: 2017 Any contingency? [] No [X] Yes Subject to Fund

Fund Availability

- Account title(s): a. Annual Fund
- b.
- c.

Amounts

- Adopted budget
- Ordinance
- Trust fund
- Temporary budget

- Account no.(s): a. 03-286-10-110-004-299
- b.
- c.

William B. Pandos

3/17/17 Date

cc: Finance C. Barbati

Township of Paritan

13 B

BOARD OF HEALTH



ONE MUNICIPAL DRIVE
FLEMINGTON, NJ 08822
(908) 806-6100
FAX (908)- 806-7061

HUNTERDON COUNTY

MEMO

TO: Don Hutchins, Administrator, Township Committee

FROM: William Bray, Acting Township Clerk/Board of Health Secretary

DATE: March 16, 2017

RE: Animal Control Services

Four (4) bids were received and opened on March 9, 2017 at 11 AM Prevailing Time. Below is a summary of these bids.

Company	Bid	Census Bid	Exceptions
Caroline Murphy, 4 Glenwood Lane, Stockton, NJ 08559	\$138,000 (two-year)	\$12,000	yes
ST. Huberts 575 Woodland Ave., Madison, NJ 07940	\$27,600 (per year*)	none	none
Laura Roerig 63 Baptist Church Road, Hampton, NJ 08827	\$50,000 (two-year)	none	yes
Animal Control Solutions 2 Marshall Drive, Flemington, NJ 08822	\$21,000 (per year*)	none	none

*Two bidders provided annual prices instead of a two-year price. Township Attorney Jeffrey Lehrer has advised that the Township accept these bids.

I recommend awarding the contract to Animal Control Solutions as the lowest responsible bidder.



Township of Raritan

OFFICE OF THE ADMINISTRATOR

ONE MUNICIPAL DRIVE, FLEMINGTON, NJ 08822-1799 TEL. (908)-806-6106 FAX (908)-806-8221

Edward Miller
VP Finance and Administration
St. Hubert's Animal Welfare Center
575 Woodland Ave.
P.O. Box 159
Madison , New Jersey 07940

Dear Mr. Miller,

I am in receipt of your letter of withdrawal and thank you for your timely response. Since the initial response by William Bray, Township Clerk, I have had the Township attorney review the situation.

Upon review, the attorney has recommended that the Township accept the bid proposal as a clerical error, with the understanding that the intention was to bid an amount of \$27,600.00 per year. Therefore there will be no need to withdraw your bid. Based on this information the Township will consider all bids submitted.

In reviewing the bids it is determined that St. Hubert's is the second lowest responsible bidder and the Township will move forward with awarding the contract to the lowest responsible bidder, Animal Control Solutions. Bid results are available upon your request.

Thank you again for your submission and I apologize for any inconvenience. The Township would appreciate your interest in future bid opportunities.

Sincerely,

Donald E. Hutchins
Township Administrator
Raritan Township
donald.hutchins@raritantwpnj.gov

TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-83

WHEREAS, the Township Tax Collector has recommended the refund of this overpayment; and

WHEREAS, there exists an overpayment of taxes paid to the Tax Collector of the Township of Raritan; and

WHEREAS, the Raritan Township Committee wishes to correct a refund in Resolution 17-63.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, that the following correction to Resolution 17-63 is approved.

<u>Remove</u> <u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Qual</u>
Wells Fargo <i>4th Quarter 2017</i>	\$1,800.29	26	1	

<u>Insert/Approve</u> <u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Qual</u>
Wells Fargo <i>4th Quarter 2017</i>	\$1,800.29	26	12	

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

Resolution #17-63

Page 2

CERTIFICATION

I, William Bray, Acting Township Clerk of the Township of Raritan, 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 March 21, 2017.

William Bray
Acting Township Clerk

TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-84

WHEREAS, HMC has requested a refund of its Developer's Escrow; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated March 2, 2017, and recommended the refund of the Developer's Escrow ZA-HMC-09 in the amount of \$2,576.00.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Developer's Escrow in the amount of \$2,576.00 paid by HMC, is hereby refunded.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

CERTIFICATION

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk



Township of Raritan

Finance Department (908) 806-6100/806-3892 (fax)
1 Municipal Drive
Flemington, NJ 08822

TO: William Bray, Acting Township Clerk
FROM: Danielle Langreder, Asst. Supervisor of Accounts
DATE: March 2, 2017
RE: Resolution – Developers Escrow Refund

Please be advised that the Township Engineering has given permission to release the funds for the listed project below:

Name: HMC
ZA-HMC-09
DEVELOPERS ESCROW

AMOUNT: \$2,576.00

TOWNSHIP OF RARITAN

COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-85

WHEREAS, HMC has requested a refund of its Inspection's Escrow; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated March 2, 2017, and recommended the refund of the Inspection Escrow SP-589-M in the amount of \$794.55.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the Inspection Escrow in the amount of \$794.55 paid by HMC, is hereby refunded.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

CERTIFICATION

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk



Township of Raritan

Finance Department (908) 806-6100/806-3892 (fax)
1 Municipal Drive
Flemington, NJ 08822

TO: William Bray, Acting Township Clerk
FROM: Danielle Langreder, Asst. Supervisor of Accounts
DATE: March 2, 2017
RE: Resolution – Inspection Escrow Refund

Please be advised that the Township Engineering has given permission to release the funds for the listed project below:

Name: HMC
SP-589-M
INSPECTION ESCROW

AMOUNT: \$794.55

COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-86

WHEREAS, the Township Committee of the Township of Raritan has determined that the overpopulation of whitetail deer that exists within the Township is a threat to the health safety and welfare of its residents; and

WHEREAS, the Township Committee of the Township of Raritan has determined that the overpopulation of whitetail deer that exists in the Township is causing the degradation of the local environment.

WHEREAS, the Wildlife Management Advisory Committee has recommended that the Township allow archery hunting on certain properties; and

WHEREAS, the Township Committee of the Township of Raritan wishes to reduce the population of whitetail deer thorough an archery hunting program as proposed by the Wildlife Management Advisory Program; and

WHEREAS, the Township Committee proposes to allow the archery hunting program by public bid on the following public lands:

NESHANIC PRESERVE, BLOCK 43 LOTS 20, 24, AND 46 AND BLOCK 59, LOTS 5 AND 8.01

PLUM BROOK PRESERVE, BLOCK 43, LOTS 3 AND 4

ERICH/SALAMON BROOK PRESERVE, BLOCK 85, LOT 15.01

URBACH FARM PRESERVE, BLOCK 7, LOT 13

CHERRYVILLE HOLLOW ROAD PRESERVE, BLOCK 6.13, LOT 51

WALNUT BROOK PRESERVE (BARTON), BLOCK 13, LOT 7

WALNUT BROOK PRESERVE (LEVICO), BLOCK 25, LOT 1

BUSHKILL BROOK PRESERVE, BLOCK 15, LOT 59

THOMASON PRESERVE, BLOCK 63, LOT 41

DAYTON ROAD PRESERVE, BLOCK 63.14, LOT 23

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Township hereby authorizes the solicitation of public bids for a license to allow archery deer hunting rights on the properties identified herein, pursuant to certain conditions, as follows:

1. The Township will award one (1) license, subject to Green Acres approval, for each of the following properties, with minimum bids per year set as follows:

- A. Plum Brook Preserve (Lots 3 & 4, Block 43) – Minimum bid-lump sum \$1,500.00 per year
- B. Erich/ Salamon Brook Preserve (Lot 15.01, Block 85) - Minimum bid-lump sum \$1,960.00 per year
- C. Neshanic Preserve (Lots 20, 24 & 46, Block 43 and Lots 5 & 8.01, Block 59) – Minimum bid-lump sum \$3,140.00 per year
- D. Urbach Farm Preserve (Block 7, Loy 13) - Minimum bid-lump sum \$2,100.00 per year
- E. Cherryville Hollow Road Preserve (Block 6.13, Lot 51) - Minimum bid-lump sum \$90.00 per year
- F. Walton Brook Preserve (Barton) (Block 13, Lot 7) - Minimum bid-lump sum \$225.00 per year
- G. Walton Brook Preserve (Levico) (Block 25, Lot 1) - Minimum bid-lump sum \$228.50 per year
- H. Bushkill Brook Preserve (Block 15, Lot 59) - Minimum bid-lump sum \$75.00 per year
- I. Thomason Preserve (Block 63, Lot 41) - Minimum bid-lump sum \$125.00 per year
- J. Dayton Road Preserve (Block 63.14, Lot 23) - Minimum bid-lump sum \$98.00 per year

2. The award of a license, subject to the approval of the New Jersey Department of Environmental Protection, shall be awarded to the highest responsible bidder for each property.

3. Bidders must comply with all applicable State laws, regulations, including all applicable Green Acres regulations, and municipal ordinances, as well as all bid specifications.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

CERTIFICATION

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk

TOWNSHIP OF RARITAN
COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-87

WHEREAS, REDCOM Design and Construction LLC. in April 2016 posted a \$30,909.60 Performance Bond in connection with a development project; and

WHEREAS, REDCOM Design and Construction LLC. has requested the release of its Performance Bond; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the release of the Performance Bond in the amount of \$30,909.60.

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 Performance Bond in the amount of \$30,909.60 posted by REDCOM Design and Construction LLC. is hereby released.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

I, William Bray, Acting Township Clerk of the Township of Raritan, 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 March 21, 2017.

William Bray
Acting Township Clerk

TOWNSHIP OF RARITAN

COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-88

WHEREAS, a Temporary Budget was adopted for 2016 by the Township Committee on January 5, 2017 by Resolution 17-9; and

WHEREAS, as per New Jersey Local Budget Law 40A:4-20 Emergency Temporary Appropriations, states that the Governing Body may by resolution adopted by 2/3rds vote of the full membership thereof make emergency temporary appropriations for any purposes for which appropriations may lawfully be made.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that **additional** temporary budget appropriations are made as follows and that a copy of this resolution be transmitted to the Chief Financial Officer and the Director of the Division of Local Government Services:

Township Administrator S&W	\$	20,000
Township Administrator OE		15,000
Postage & Photocopying		10,000
Governing Body S&W		2,500
Governing Body OE		500
Township Clerk S&W		10,000
Township Clerk OE		7,000
Financial Administration S&W		20,000
Financial Administration OE		3,000
Data Processing Services		32,500
Tax Collector S&W		11,000
Tax Collector OE		2,000
Tax Assessor S&W		18,000
Tax Assessor OE		5,000
Legal Services OE		30,000
Engineering Services S&W		13,000
Engineering Services OE		15,000
Planning Board S&W		6,000
Planning Board OE		5,000
Zoning Board S&W		8,000
Zoning Board OE		10,000
Construction Official S&W		46,000
Construction Official OE		15,000
Police S&W		387,747
Police OE		35,000
Emergency Management S&W		2,000
Emergency Management OE		4,000

Fire Hydrants	60,000
Fire Official S&W	26,000
Fire Official OE	5,000
Prosecutor S&W	8,000
Road Repair & Maintenance S&W	162,948
Road Repair & Maintenance OE	20,000
Snow Removal S&W	15,000
Snow Removal OE	35,000
P.E.O.S.H.A. Roads OE	2,000
Public Property (B&G) S&W	15,000
Public Property (B&G) OE	15,000
Vehicle Maintenance S&W	35,000
Vehicle Maintenance OE	30,000
Board of Health S&W	10,000
Park Maintenance S&W	35,000
Park Maintenance OE	10,000
Utilities	62,500
Solid Waste	12,000
Municipal Court S&W	28,000
Municipal Court OE	4,000

TOTAL \$ 1,323,695

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

CERTIFICATION

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk

COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-89

WHEREAS, Section 5.44.080 entitled “Maximum Fee Rate Schedule” of The Revised General Ordinances of the Township of Raritan establishes a fee rate schedule for towing and storage of vehicles (the “Fee Rate Schedule”), and further provides that the fee schedule shall be made part of the Rules, Regulations and Guidelines for Tow Operators within the Township of Raritan; and

WHEREAS, the Township of Raritan is now proposing an amendment to Section 5.44.080 to be entitled “Towing and Storage Rate Schedule” (the “Towing Ordinance Amendment”) to permit the Raritan Township Police Chief to recommend a Fee Rate Schedule for towing and storage of vehicles, which Fee Rate Schedule shall be adopted by resolution of the Township Committee; and

WHEREAS, the Raritan Township Police Chief has recommended a Fee Rate Schedule, a copy of which is annexed hereto as Schedule A; and

WHEREAS, the Raritan Township Police Chief has further recommended that the Rules, Regulations and Guidelines for Tow Operators be amended, as set forth in Schedule B annexed hereto; and

WHEREAS, the Township Committee is of the opinion that the Fee Rate Schedule and the proposed revisions to the Rules, Regulations and Guidelines for Tow Operators proposed by the Raritan Township Police Chief is in the best interests of the residents of the Township of Raritan.

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 Township Committee hereby approves and adopts the Fee Rate Schedule annexed hereto as Schedule A.
2. The Township Committee hereby approves and adopts the proposed revisions to the Rules, Regulations and Guidelines for Tow Operators annexed hereto as Schedule B.
3. The Fee Rate Schedule and the proposed revisions to the Rules, Regulations and Guidelines for Tow Operators shall become effective upon the effective date of the Towing Ordinance Amendment.

Resolution #17-89
Page 2

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk

TOWNSHIP OF RARITAN
TOW OPERATORS RULES REGULATIONS AND GUIDELINES

I. Licensing Standards

A. Each applicant/licensee must provide and/or demonstrate:

1. It is qualified to tow and remove vehicles of all types, and that it has the facilities, equipment, expertise, personnel and storage areas to perform the services required by the Township.
2. Its equipment displays the licensee's business name, address, and a listed telephone number for the business.
3. The names, address and driver license numbers of all proposed drivers and employees (as well as new hires during the term) who will be rendering services under this Ordinance on behalf of the Licensee, as well as waivers permitting background checks. The Licensee shall be subject to termination for failure to submit an employee(s) to such a background check. An employee may ONLY perform services after being added to the Licensee's roster.

The Police Department of the Township of Raritan may conduct a thorough background check of the Licensee, its officers, principles and employees. A conviction for a high misdemeanor and/or a motor vehicle record evidencing unsafe driving habits or a disregard for the New Jersey Motor Vehicle laws, will be considered reason to disqualify any applicant, or employee of the applicant.

4. All drivers employed by the Licensee shall be over the age of eighteen (18) years and must have a valid and appropriate New Jersey Driver's License for the equipment to be operated.
5. Reference names of municipalities and others for whom towing services have been provided.
6. A detailed listing of the equipment to include: types of vehicles, storage location of vehicles, and the maximum gross vehicle weight the vehicle is capable of towing. Each licensee will be solely responsible for the safety, maintenance and operation of each piece of equipment utilized; and shall be subject to periodic inspection by the Administrator or Chief of Police.
7. Proof of insurance and renewals during the term of license. Failure to have insurance or equipment readily available for the Township's inspection during the term of the License shall be sufficient cause for the denial/suspension and/or revocation of the License. Licensee shall be required to purchase and maintain Comprehensive General Liability Insurance, Comprehensive Automobile Liability Insurance and Worker's Compensation Insurance with minimum limits as follows:

- a. Automobile Liability in an amount not less than \$1,000,000 combined single limits.
 - b. Worker's Compensation as required by statute.
 - c. Garage Keepers Liability in an amount of not less than the following:

Minimum of \$50,000 per location if a "secured" outside storage area is provided as stated in Section II (L) of these regulations
 - d. Garage Liability in an amount not less than \$1,000,000 combined single limit.
 - e. Policies endorsed to provide collision coverage for vehicles in tow.
 - f. Municipality as additional insured on liability policies.
 - g. Licensee shall provide the Township with certificates of insurance evidencing the coverage's and renewals during the License period.
8. No licensee shall assign, lease, sublet, or otherwise similarly dispose or transfer its equipment, services, or license granted hereunder and likewise shall not pass-off or transfer or give to any other towing operator, its responsibility for providing services as a Licensee of Raritan Township under its Ordinance and Rules and Regulations, without the prior written approval of the Township Committee. No license shall be transferrable, and upon cessation of activity under the license through revocation or otherwise, the license shall be determined null and void.
 9. The Township reserves the right to terminate the license of any operator if, in its sole opinion, the licensee has failed to adequately perform in accordance with these rules and regulations.
 10. The Chief of Police shall be the administrator of these Regulations and shall have the right, in his sole discretion, to disapprove, suspend or revoke any license pursuant to the ordinance establishing these regulations.
 11. No rewards, gifts or payment of money will be permitted to any police officer for calls or favoritism under penalty of law.
 12. No licensed tow operator shall employ, directly or indirectly, any employee of the Township.
 13. At all times, the towing company shall comply with the requirements of the Predatory Towing Prevention Act, N.J.S.A. 56: 13-1 et seq. and the regulations promulgated thereunder, N.J.A.C. 13:45A-31.1 et seq. Failure to do so may result in suspension or

removal from the towing list.

II. Minimum Operating Requirements

A. Licenses and Licensees shall be limited by response time and convenience to the consuming public and the Township Police Department in that a Licensee shall be able to respond to an assigned call within a maximum of 20 minutes of receiving the assignment call, and the Licensee's storage facility and business office shall be located within one mile of the boundaries of Raritan Township.

B-1. Light Duty License

Any person who wishes to be licensed to provide light-duty tow truck or wrecker services for the Town Rotating Call List must meet the following requirements:

- A. The licensee must own/lease at least two (2) vehicles to qualify under this section, one (1) of which must be a flatbed truck and the other to be a conventional hydraulic tow truck or wrecker with an under-reach.
- B. A light-duty tow truck or wrecker shall be able to handle all makes of passenger vehicles and small trucks, such as pickup, small panel trucks and small dump trucks (up to eight thousand (8,000) pounds), and must have or be equipped with the following.
 1. A valid DMV registration and, if required, a valid inspection certificate.
 2. A Valid DMV amber light permit.
 3. Dual rear wheels.
 4. The garage within the licensee's business location must be equipped with equipment to move illegally parked cars such as a "Go Jacks" or comparable device.
 5. A power takeoff controlled winch with a minimum cable thickness of three-eighths (3/8) inch or equivalent.
 6. A comparable weight equal to the vehicles to be towed, with a minimum of five thousand five hundred (5,500) pounds.
 7. A three-eighth (3/8) inch safety chain. The lift chain and the safety chain are not to be attached in any form or manner to the same part of the tow truck or wrecker.
 8. All towing vehicles must have amber emergency lights mounted on each tow truck or wrecker so as to warn approaching traffic of their presence. The size and location of these amber lights must conform to the New Jersey Division of Motor Vehicle standards.

9. All emergency flashing lights shall be such candlepower in intensity as to be visible one-quarter (1/4) mile away.
10. One (1) fire extinguisher (five (5) pound carbon dioxide or dry powder).
11. One (1) broom, a debris container and a shovel.
12. A minimum of five (5) gallons of absorbent granules for cleaning up fluid spills.
13. All tow truck or wrecker operators and their agents and/or employees are required to wear reflectorized traffic safety vests when working at the scene.
14. Detachable light bar with running, stop and turn lights.
15. Dual rear wheels.
10. Mirrors on the tow truck or wrecker must extend beyond the width of the vehicle being towed to provide a clear line of sight.
(Ord.No.09-07 & 191-4).
17. Motorcycle towing equipment
18. Traffic vest minimum class 2 ANSI 1999 or above
19. 21' or longer hydraulically operated 8,000 lbs. bed
20. Two (2) tire skates and four (4) point tie down straps
21. Must meet Federal DOT requirements under CFR392
22. Must meet Federal DOT requirements under CFR 392

B-2 Heavy Duty.

Any person who wishes to be licensed to provide heavy-duty tow truck or wrecker services for the Town Rotating Call List must meet the following requirements:

- a. The licensee must own/lease at least one (1) heavy-duty tow vehicle that is hydraulic in nature to qualify under this section. In addition, the following equipment is also required:
- b. All towing companies who provide heavy-duty tow truck or wrecker services would require a minimum of a twenty-five {25} ton, twin cable hydraulic in nature, with under-

reach capabilities. Trucks would have to have the capabilities of towing an eighty thousand (80,000) pound vehicle.

- c. Dual rear wheels.
- d. Manufactured rating gross vehicle weight of thirty thousand (30,000) pounds. Manufacture rating may be obtained from the factory where the truck originates. Other written evidence of gross vehicle weight may be accepted, if verified.
- e. Power takeoff controlled winch with a minimum cable thickness of five-eighths (5/8) of an inch.
- f. All towing vehicles must have amber emergency lights mounted on each tow truck or wrecker so as to warn approaching traffic of their presence. The size and locations of this amber light must conform to the New Jersey Division of Motor Vehicle standards.
- g. All lights shall be of such candlepower in intensity as to be visible one-quarter (1/4) of a mile away. One-half (1/2) inch safety chain. The lift chain and the safety chain are not to be attached in any form or manner on the same part of the tow truck or wrecker. Air brakes.
- h. Connecting air lines for connection with the air compressor and air break lines of the towed vehicle.
- i. Detachable light bar with running, stop and turn lights.
- j. One(1) fire extinguisher (five(5) pound carbon dioxide or dry powder).
- k. One(1) barroom, shovel and debris container.
- l. Absorbent granules for cleaning up fluid spills.
- m. Must be equipped with portable lighting equipment when required.
- n. All tow truck or wrecker operators and their agents and/or employees are required to wear reflectorized traffic safety vests when working at the scene.
- o. In the event that a recovery of a heavy-duty vehicle is warranted, the responding tow company shall assign a recovery supervisor to the scene that must have obtained a Level 3 National Driver License Certification or equivalent within nine(9) months of availability and must have received training in an industry-recognized course.
- P. Semi-tractor with fifth wheel or wrecker with fifth wheel
- q. Must meet Federal DOT requirements under CFR 392

r. Must meet Federal DOT inspections under CFR 392

- C. All tow vehicles must carry road cleanup equipment and supplies, such as brooms, trash cans, plastic bags, shovels and speedy dry type materials. The towing service is responsible for the prompt and safe removal of the disabled vehicle and for the prompt and complete removal of all litter and debris (within reason) resulting from the accident with the exception of hazardous materials as set forth in N.J.S.A. 39:4-56.8. Failure of the Licensee to maintain adequate and safe equipment may be considered by the Township as sufficient cause for the suspension and/or revocation and termination of the License.
- D. The Licensee shall give the owner of the vehicle a written receipt which shall indicate at a minimum, the date of towing, the location and the name and address of the owner and/or driver of the vehicle, details of the vehicle towed, together with full information concerning the service and fee charged. Copies of receipts shall be maintained by the licensee for two (2) years and available for inspection by the Township.
- E. Any license plates removed by the Licensee shall be returned to the Police Department.
- F. Regular towing service: every person holding a license shall keep a record of details of the vehicle towed, together with full information concerning the service and fee charged and indicating the date of towing, the location and the name and address of the owner and/or driver of the vehicle, and details of the vehicle towed.
- G. A vehicle impounded by the police shall not be released without written permission from the Police Department which Release form shall be attached to invoice and filed.
- H. It shall be the responsibility of the Licensee to obtain proper proof of identification and ownership prior to the release of any vehicle. Release to an unauthorized person shall be at the sole and exclusive liability of the Licensee.
- I. The Licensee and its employees, are expected always to act in a professional manner and at all times to be courteous and respectful toward members of the public, as well as representatives of the Township of Raritan.
- J. The owner of any vehicle shall have the right to remove personal property from the towed/stored vehicle during normal business hours unless a "Police Hold" has been imposed. No person shall be allowed to remove license plates or parts from a vehicle until such time as all fees are paid. Vehicle owners, or their representatives shall

have the right to take photographs of stored vehicles for insurance purposes during normal business hours.

- K. Each Licenses shall, at the time of initiating services pursuant to this ordinance, provide operators or owners of vehicles on which services are to be performed, with printed service description cards, disclosing the following minimum information:
1. Name of Licensee;
 2. Address of Licensee;
 3. Telephone Number of Licensee;
 4. All rates: (Towing, Storage);
 5. Location of storage area; and
 6. Time periods during which vehicles may be picked up,
- L. Licensee shall be capable of providing outside storage for a minimum of ten vehicles and Licensees are required to provide a "secured" outside storage area. An "outside secured" area is defined under the Ordinance as a completely fenced, walled, or other man-made barrier that is at least six(6) feet in height to which access is controlled by the Licensee.
- M. Licensee must provide the street address and the municipal tax map and lot and block number of the storage facility. In the event that the Licensee does not own said storage facility, the Licensee shall present a lease evidencing that the Licensee has permission to store towed vehicles at the facility, and said lease shall be for a term of not less than the period of validity of the license, or subject to renewal during the term.
- Licensees may share storage facilities; however, there must be sufficient storage for each licensee to comply with the minimum storage requirements independently. Storage facilities shall be available 24 hours a day, 365 days a year and open to the public on weekdays during normal business hours and limited hours on Saturday. The licensee shall be solely responsible for each vehicle in its storage area until final disposition and removal.
- N. Licensee, in conjunction with the Raritan Township Police, shall be responsible for disposing of vehicles left at a licensee's site as per N.J.S.A. 39:10A-1through 39:10A-20 if the vehicle was towed per police direction.
- O. The Licensee shall be responsible for the towing of any disabled Township owned or operated vehicle when requested by the Township, including the changing of tires on said vehicle if required. This service will be furnished to the Township in accordance with the attached Rate Schedule.
- P. No licensee shall cruise along the streets for the purpose of soliciting business without having been called, nor respond to the scene of an accident or emergency for the purpose of towing vehicles unless specifically called there by the police or person involved in

said accident or emergency. It is intended to prohibit tow operators from soliciting business at the scene of accidents and emergencies and shall not be construed to prohibit any tow operator from contracting with any person, firm or corporation provide that the Licenses, his agents and employees do not solicit towing contracts at the scene of accidents or emergencies.

- Q. At NO time shall a vehicle be removed from the roadway that has been involved in an accident, crime or possible motor vehicle violation without prior approval of the Police.
- R. All Licenses, by applying for and accepting a tow operator's license under the Raritan Township Ordinance and these Rules and Regulations, shall agree to, and shall indemnify and hold the Township of Raritan and its officers and employees harmless from any liability, expense or cost of suit, including reasonable Attorney's fees and costs, arising out of or resulting from any action of the tow operator in performing towing, storage or other services in the Township of Raritan as a Licensee under this Ordinance. This indemnification clause shall be included as part of the application for a license and shall also be printed on the applicant's license.
- S. For services rendered, or to redeem a motor vehicle from storage, the operator shall accept in payment either cash, a check issued by an insurance company, a valid debit card, or a valid major credit card or charge card subject to the provisions of N.J.S.A. 56:13-4.

III. Operation of Towing List

- A. A rotating list of all licensed tow operators shall be distributed by the Police Department. This list shall operate on a one week basis with the Licensee on top being the "Duty Wrecker". The "Duty Wrecker" shall be available 24 hours a day for that week and then shall rotate to the bottom of the list for the following week.
- B. All Licensees shall explain their reasons for refusing a call or lateness in responding to a call. Six (6) refusals/unavailability, or tardiness in response (while the Duty Wrecker) during a calendar year shall be grounds for suspension and/or removal from the list.

Should the "Duty Wrecker" not be available, or not arrive within the specified time limits of a maximum of 20 minutes, the next Licensee on the list shall be called and the original "Duty Wrecker" shall lose any claim to the call once the next licensee has been called.

- C. The Police Department reserves the right to summon an alternate towing service if needed to accommodate the existing situation, i.e., heavy duty wrecker, special materials, evidential needs, or close proximity when a dangerous situation exists.

D. A vehicle owner/operator may request a towing service other than the "Duty Wrecker" or a Towing Operator that is not licensed by the Township of Raritan. If said requested Towing Operator does not respond in a timely manner, the "Duty Wrecker" will be called by Township Police. Motorist's requests for towing services through the various motor clubs shall be granted when possible, i.e. off the road and/or does not pose a threat to the motoring public. Licensed tow operators that are authorized towing agents for such clubs will not receive preferential treatment and the Township will not use such authorized towing agents. IV. Rate Schedule

A. The Township shall establish a table of maximum fees for towing and storage that may be charged by Licensed Tow Operators under the provisions of these regulations and the applicable ordinance. These fees govern automobiles and non-commercial vehicles only. The Township reserve the right to adjust these rates as may be needed. See attached "Rate Schedule: (Appendix A.)

B. If the owner/operator requests that the vehicle be transported out of the area, the tow operator shall receive payment for any additional miles traveled beyond the total distance traveled from the tow vehicle's base of service to the job, by way of the shortest route, rounded up to the nearest mile.

No person shall be liable for fees to any Licensed Tow Operator who tows or stores a private passenger automobile or noncommercial vehicle, excluding campers, which are in excess of those permitted by the towing and storage fee schedules established by these regulations.

Tow vehicles transporting multiple passenger cars at one time shall receive the applicable fees for each vehicle transported.

C. When towing series are required, the Day Rate shall apply when the time of the tow service is between 8:00a.m and 4:30p.m., Monday through Friday, except N.J. State Holidays. The Night, Weekend and Holiday rate shall otherwise apply.

D. The fees set forth on the rate schedule for storage are the maximum storage charges per 24 hour period, or any part thereof. For example, if a motor vehicle is towed to a storage facility at 7:00 p.m. on one day and the owner of the motor vehicle picks up the motor vehicle before 7:00 p.m. the next day, the towing company shall charge the owner of the motor vehicle for only one day of storage. If a motor vehicle is stored for more than 24 hours, but less than 48 hours, the towing company may charge for two days of storage.

E. Licensees shall not charge a storage fee after the licensee has contracted to repair said vehicle.

- F. All licensed tow operators will provide road service calls as required by the Police Department. Such calls shall include jump starting vehicles, changing tires, etc. The fee for these services shall be at those established in the attached Rate Schedule.
- G. The rates applicable to towing and storage performed under the license shall be posted in a conspicuous place, visible to the public at the Licensee's place of business and storage area.
- H. In the event that a Licensee has been summoned by the Township Police for the purpose of towing a vehicle, and the owner or operator of the vehicle arrives on the scene and removes, or has made arrangements to remove the vehicle prior to the removal of the vehicle by the Licensee and the vehicle does not need to be towed or impounded, the owner may not be charged by the licensee.
- I. The Township will not be responsible for any charges due and owing the Licensee for services performed hereunder involving motor vehicle accident vehicles, disabled vehicles, abandoned vehicles or vehicles impounded due to motor vehicle violations. The Township shall only be responsible for charged due on vehicles involved in crimes or other evidential needs ordered towed by the police.
- J. At all times, the towing company shall comply with the requirements of the Predatory Towing Prevention Act, N.J.S.A. 56: 13-1 et seq. and the regulations promulgated thereunder, N.J.A.C. 13:45A-31.1 et seq. Failure to do so may result in suspension or removal from the towing list.

APPENDIX A

SEE RATE SCHEDULE

Above Towing Fees apply to a private passenger automobile/utility vehicle and shall not include such additional services as may be required for recovery such as up-righting of vehicle, etc.

"Stand-by" time at scene of major accidents when so required by Police shall not exceed \$50.00 per hour in addition to above.

. "Basic tow" shall mean private property towing and other non-consensual towing as defined in this section and other ancillary services that include the following: arriving at the site from which a motor vehicle will be towed; 15 minutes waiting time; hooking a motor vehicle to, or loading a motor vehicle onto, a tow truck; transporting a motor vehicle to a storage facility; unhooking or unloading a motor vehicle from the tow truck; and situating the motor vehicle in the space in which it will be stored. "Basic tow" also includes issuing documents for the release of a motor vehicle to its owner or other person authorized to take the motor vehicle; issuing an itemized bill; three trips to the motor vehicle in storage, which, if applicable, include making a vehicle available to an insurance adjuster or appraiser; issuing documents for the release of a motor vehicle to its owner or other person authorized to take the motor vehicle; and retrieving a motor vehicle from storage during the hours in which the storage facility is open.

TOWNSHIP OF RARITAN
TOW OPERATORS RULES REGULATIONS AND GUIDELINES

I. Licensing Standards

A. Each applicant/licensee must provide and/or demonstrate:

1. It is qualified to tow and remove vehicles of all types, and that it has the facilities, equipment, expertise, personnel and storage areas to perform the services required by the Township.
2. Its equipment displays the licensee's business name, address, and a listed telephone number for the business.
3. The names, address and driver license numbers of all proposed drivers and employees (as well as new hires during the term) who will be rendering services under this Ordinance on behalf of the Licensee, as well as waivers permitting background checks. The Licensee shall be subject to termination for failure to submit an

employee(s) to such a background check. An employee may ONLY perform services after being added to the Licensee's roster.

The Police Department of the Township of Raritan may conduct a thorough background check of the Licensee, its officers, principles and employees. A conviction for a high misdemeanor and/or a motor vehicle record evidencing unsafe driving habits or a disregard for the New Jersey Motor Vehicle laws, will be considered reason to disqualify any applicant, or employee of the applicant.

4. All drivers employed by the Licensee shall be over the age of eighteen (18) years and must have a valid and appropriate New Jersey Driver's License for the equipment to be operated.
5. Reference names of municipalities and others for whom towing services have been provided.
6. A detailed listing of the equipment to include: types of vehicles, storage location of vehicles, and the maximum gross vehicle weight the vehicle is capable of towing. Each licensee will be solely responsible for the safety, maintenance and operation of each piece of equipment utilized; and shall be subject to periodic inspection by the Administrator or Chief of Police.
7. Proof of insurance and renewals during the term of license. Failure to have insurance or equipment readily available for the Township's inspection during the term of the License shall be sufficient cause for the denial/suspension and/or revocation of the License. Licensee shall be required to purchase and maintain Comprehensive General Liability Insurance, Comprehensive Automobile Liability Insurance and Worker's Compensation Insurance with minimum limits as follows:

- a. Automobile Liability in an amount not less than \$1,000,000 combined single limits.
 - b. Worker's Compensation as required by statute.
 - c. Garage Keepers Liability in an amount of not less than the following:

Minimum of \$50,000 per location if a "secured" outside storage area is provided as stated in Section II (L) of these regulations
 - d. Garage Liability in an amount not less than \$1,000,000 combined single limit.
 - e. Policies endorsed to provide collision coverage for vehicles in tow.
 - f. Municipality as additional insured on liability policies.
 - g. Licensee shall provide the Township with certificates of insurance evidencing the coverage's and renewals during the License period.
8. No licensee shall assign, lease, sublet, or otherwise similarly dispose or transfer its equipment, services, or license granted hereunder and likewise shall not pass-off or transfer or give to any other towing operator, its responsibility for providing services as a Licensee of Raritan Township under its Ordinance and Rules and Regulations, without the prior written approval of the Township Committee. No license shall be transferrable, and upon cessation of activity under the license through revocation or otherwise, the license shall be determined null and void.
 9. The Township reserves the right to terminate the license of any operator if, in its sole opinion, the licensee has failed to adequately perform in accordance with these rules and regulations.
 10. The Chief of Police shall be the administrator of these Regulations and shall have the right, in his sole discretion, to disapprove, suspend or revoke any license pursuant to the ordinance establishing these regulations.
 11. No rewards, gifts or payment of money will be permitted to any police officer for calls or favoritism under penalty of law.
 12. No licensed tow operator shall employ, directly or indirectly, any employee of the Township.
 13. At all times, the towing company shall comply with the requirements of the Predatory Towing Prevention Act, N.J.S.A. 56: 13-1 et seq. and the regulations promulgated thereunder, N.J.A.C. 13:45A-31.1 et seq. Failure to do so may

result in suspension or removal from the towing list.

II. Minimum Operating Requirements

A. Licenses and Licensees shall be limited by response time and convenience to the consuming public and the Township Police Department in that a Licensee shall be able to respond to an assigned call within a maximum of 20 minutes of receiving the assignment call, and the Licensee's storage facility and business office shall be located within one mile of the boundaries of Raritan Township.

B-1. Light Duty License

Any person who wishes to be licensed to provide light-duty tow truck or wrecker services for the Town Rotating Call List must meet the following requirements:

- A. The licensee must own/lease at least two (2) vehicles to qualify under this section, one (1) of which must be a flatbed truck and the other to be a conventional hydraulic tow truck or wrecker with an under-reach.
- B. A light-duty tow truck or wrecker shall be able to handle all makes of passenger vehicles and small trucks, such as pickup, small panel trucks and small dump trucks (up to eight thousand (8,000) pounds), and must have or be equipped with the following.
 1. A valid DMV registration and, if required, a valid inspection certificate.
 2. A Valid DMV amber light permit.
 3. Dual rear wheels.
 4. The garage within the licensee's business location must be equipped with equipment to move illegally parked cars such as a "Go Jacks" or comparable device.
 5. A power takeoff controlled winch with a minimum cable thickness of three-eighths (3/8) inch or equivalent.
 6. A comparable weight equal to the vehicles to be towed, with a minimum of five thousand five hundred (5,500) pounds.
 7. A three-eighth (3/8) inch safety chain. The lift chain and the safety chain are not to be attached in any form or manner to the same part of the tow truck or wrecker.
 8. All towing vehicles must have amber emergency lights mounted on each tow truck or wrecker so as to warn approaching traffic of their presence. The size
 9. All emergency flashing lights shall be such candlepower in intensity as to be visible one-quarter (1/4) mile away.

nd locations of these amber lights must conform to the New Jersey Division of Motor Vehicle standards.

10. One (1) fire extinguisher (five (5) pound carbon dioxide or dry powder).
11. One (1) broom, a debris container and a shovel.
12. A minimum of five (5) gallons of absorbent granules for cleaning up fluid spills.
13. All tow truck or wrecker operators and their agents and/or employees are required to wear reflectorized traffic safety vests when working at the scene.
14. Detachable light bar with running, stop and turn lights.
15. Dual rear wheels.
16. Mirrors on the tow truck or wrecker must extend beyond the width of the vehicle being towed to provide a clear line of sight.
(Ord.No.09-07 & 191-4).
17. Motorcycle towing equipment
18. Traffic vest minimum class 2 ANSI 1999 or above
19. 21' or longer hydraulically operated 8,000 lbs. bed
20. Two (2) tire skates and four (4) point tie down straps
21. Must meet Federal DOT requirements under CFR392
22. Must meet Federal DOT requirements under CFR 392

B-2 Heavy Duty.

Any person who wishes to be licensed to provide heavy-duty tow truck or wrecker services for the Town Rotating Call List must meet the following requirements:

- a. The licensee must own/lease at least one (1) heavy-duty tow vehicle that is hydraulic in nature to qualify under this section. In addition, the following equipment is also required:
- b. All towing companies who provide heavy-duty tow truck or wrecker services would require a minimum of a twenty-five (25) ton, twin cable hydraulic in nature, with under-reach capabilities. Trucks would have to have the capabilities of towing an eighty thousand (80,000) pound vehicle.
- c. Dual rear wheels.

- d. Manufactured rating gross vehicle weight of thirty thousand (30,000) pounds. Manufacture rating may be obtained from the factory where the truck originates. Other written evidence of gross vehicle weight may be accepted, if verified.
- e. Power takeoff controlled winch with a minimum cable thickness of five-eighths (5/8) of an inch.
- f. All towing vehicles must have amber emergency lights mounted on each tow truck or wrecker so as to warn approaching traffic of their presence. The size and locations of this amber light must conform to the New Jersey Division of Motor Vehicle standards.
- g. All lights shall be of such candlepower in intensity as to be visible one-quarter (1/4) of a mile away. One-half (1/2) inch safety chain. The lift chain and the safety chain are not to be attached in any form or manner on the same part of the tow truck or wrecker. Air brakes.
- h. Connecting air lines for connection with the air compressor and air break lines of the towed vehicle.
- i. Detachable light bar with running, stop and turn lights.
- j. One(1) fire extinguisher (five(5) pound carbon dioxide or dry powder).
- k. One(1) barroom, shovel and debris container.
- l. Absorbent granules for cleaning up fluid spills.
- m. Must be equipped with portable lighting equipment when required.
- n. All tow truck or wrecker operators and their agents and/or employees are required to wear reflectorized traffic safety vests when working at the scene.
- o. In the event that a recovery of a heavy-duty vehicle is warranted, the responding tow company shall assign a recovery supervisor to the scene that must have obtained a Level 3 National Driver License Certification or equivalent within nine(9) months of availability and must have received training in an industry-recognized course.
- P.. Semi-tractor with fifth wheel or wrecker with fifth wheel
- q. Must meet Federal DOT requirements under CFR 392
- r. Must meet Federal DOT inspections under CFR 392

- C. All tow vehicles must carry road cleanup equipment and supplies, such as brooms, trash cans, plastic bags, shovels and speedy dry type materials. The towing service is responsible for the prompt and safe removal of the disabled vehicle and for the prompt and complete removal of all litter and debris (within reason) resulting from the accident with the exception of hazardous materials as set forth in N.J.S.A. 39:4-56.8. Failure of the Licensee to maintain adequate and safe equipment may be considered by the Township as sufficient cause for the suspension and/or revocation and termination of the License.
- D. The Licensee shall give the owner of the vehicle a written receipt which shall indicate at a minimum, the date of towing, the location and the name and address of the owner and/or driver of the vehicle, details of the vehicle towed, together with full information concerning the service and fee charged. Copies of receipts shall be maintained by the licensee for two (2) years and available for inspection by the Township.
- E. Any license plates removed by the Licensee shall be returned to the Police Department.
- F. Regular towing service: every person holding a license shall keep a record of details of the vehicle towed, together with full information concerning the service and fee charged and indicating the date of towing, the location and the name and address of the owner and/or driver of the vehicle, and details of the vehicle towed.
- G. A vehicle impounded by the police shall not be released without written permission from the Police Department which Release form shall be attached to invoice and filed.
- H. It shall be the responsibility of the Licensee to obtain proper proof of identification and ownership prior to the release of any vehicle. Release to an unauthorized person shall be at the sole and exclusive liability of the Licensee.
- I. The Licensee and its employees, are expected always to act in a professional manner and at all times to be courteous and respectful toward members of the public, as well as representatives of the Township of Raritan.
- J. The owner of any vehicle shall have the right to remove personal property from the towed/stored vehicle during normal business hours unless a "Police Hold" has been imposed. No person shall be allowed to remove license plates or parts from a vehicle until such time as all fees are paid. Vehicle owners, or their representatives shall have the right to take photographs of stored vehicles for insurance purposes during normal business hours.

K. Each Licenses shall, at the time of initiating services pursuant to this ordinance, provide operators or owners of vehicles on which services are to be performed, with printed service description cards, disclosing the following minimum information:

1. Name of Licensee;
2. Address of Licensee;
3. Telephone Number of Licensee;
4. All rates: (Towing, Storage);
5. Location of storage area; and
6. Time periods during which vehicles may be picked up,

L. Licensee shall be capable of providing outside storage for a minimum of ten vehicles and Licensees are required to provide a "secured" outside storage area. An "outside secured" area is defined under the Ordinance as a completely fenced, walled, or other man-made barrier that is at least six(6) feet in height to which access is controlled by the Licensee.

M. Licensee must provide the street address and the municipal tax map and lot and block number of the storage facility. In the event that the Licensee does not own said storage facility, the Licensee shall present a lease evidencing that the Licensee has permission to store towed vehicles at the facility, and said lease shall be for a term of not less than the period of validity of the license, or subject to renewal during the term.

Licensees may share storage facilities; however, there must be sufficient storage for each licensee to comply with the minimum storage requirements independently. Storage facilities shall be available 24 hours a day, 365 days a year and open to the public on weekdays during normal business hours and limited hours on Saturday. The licensee shall be solely responsible for each vehicle in its storage area until final disposition and removal.

N. Licensee, in conjunction with the Raritan Township Police, shall be responsible for disposing of vehicles left at a licensee's site as per N.J.S.A. 39:10A-1through 39:10A-20 if the vehicle was towed per police direction.

O. The Licensee shall be responsible for the towing of any disabled Township owned or operated vehicle when requested by the Township, including the changing of tires on said vehicle if required. This service will be furnished to the Township in accordance with the attached Rate Schedule.

P. No licensee shall cruise along the streets for the purpose of soliciting business without having been called, nor respond to the scene of an accident or emergency for the purpose of towing vehicles unless specifically called there by the police or person involved in said accident or emergency. It is intended to prohibit tow operators from soliciting business at the scene of accidents and emergencies and shall not be construed to prohibit any tow operator from contracting with any person, firm or corporation provide that the

Licenses, his agents and employees do not solicit towing contracts at the scene of accidents or emergencies.

- Q. At NO time shall a vehicle be removed from the roadway that has been involved in an accident, crime or possible motor vehicle violation without prior approval of the Police.
- R. All Licenses, by applying for and accepting a tow operator's license under the Raritan Township Ordinance and these Rules and Regulations, shall agree to, and shall indemnify and hold the Township of Raritan and its officers and employees harmless from any liability, expense or cost of suit, including reasonable Attorney's fees and costs, arising out of or resulting from any action of the tow operator in performing towing, storage or other services in the Township of Raritan as a Licensee under this Ordinance. This indemnification clause shall be included as part of the application for a license and shall also be printed on the applicant's license.
- S. For services rendered, or to redeem a motor vehicle from storage, the operator shall accept in payment either cash, a check issued by an insurance company, a valid debit card, or a valid major credit card or charge card subject to the provisions of N.J.S.A. 56:13-4.

III. Operation of Towing List

- A. A rotating list of all licensed tow operators shall be distributed by the Police Department. This list shall operate on a one week basis with the Licensee on top being the "Duty Wrecker". The "Duty Wrecker" shall be available 24 hours a day for that week and then shall rotate to the bottom of the list for the following week.
- B. All Licensees shall explain their reasons for refusing a call or lateness in responding to a call. Six (6) refusals/unavailability, or tardiness in response (while the Duty Wrecker) during a calendar year shall be grounds for suspension and/or removal from the list.

Should the "Duty Wrecker" not be available, or not arrive within the specified time limits of a maximum of 20 minutes, the next Licensee on the list shall be called and the original "Duty Wrecker" shall lose any claim to the call once the next licensee has been called.

- C. The Police Department reserves the right to summon an alternate towing service if needed to accommodate the existing situation, i.e., heavy duty wrecker, special materials, evidential needs, or close proximity when a dangerous situation exists.

D. A vehicle owner/operator may request a towing service other than the "Duty Wrecker" or a Towing Operator that is not licensed by the Township of Raritan. If said requested Towing Operator does not respond in a timely manner, the "Duty Wrecker" will be called by Township Police. Motorist's requests for towing services through the various motor clubs shall be granted when possible, i.e. off the road and/or does not pose a threat to the motoring public. Licensed tow operators that are authorized towing agents for such clubs will not receive preferential treatment and the Township will not use such authorized towing agents. IV. Rate Schedule

- A. The Township shall establish a table of maximum fees for towing and storage that may be charged by Licensed Tow Operators under the provisions of these regulations and the applicable ordinance. These fees govern automobiles and non-commercial vehicles only. The Township reserve the right to adjust these rates as may be needed. See attached "Rate Schedule: (Appendix A.)
- B. If the owner/operator requests that the vehicle be transported out of the area, the tow operator shall receive payment for any additional miles traveled beyond the total distance traveled from the tow vehicle's base of service to the job, by way of the shortest route, rounded up to the nearest mile.

No person shall be liable for fees to any Licensed Tow Operator who tows or stores a private passenger automobile or noncommercial vehicle, excluding campers, which are in excess of those permitted by the towing and storage fee schedules established by these regulations.

Tow vehicles transporting multiple passenger cars at one time shall receive the applicable fees for each vehicle transported.

- C. When towing series are required, the Day Rate shall apply when the time of the tow service is between 8:00a.m and 4:30p.m., Monday through Friday, except N.J. State Holidays. The Night, Weekend and Holiday rate shall otherwise apply.
- D. The fees set forth on the rate schedule for storage are the maximum storage charges per 24 hour period, or any part thereof. For example, if a motor vehicle is towed to a storage facility at 7:00 p.m. on one day and the owner of the motor vehicle picks up the motor vehicle before 7:00 p.m. the next day, the towing company shall charge the owner of the motor vehicle for only one day of storage. If a motor vehicle is stored for more than 24 hours, but less than 48 hours, the towing company may charge for two days of storage.
- E. Licensees shall not charge a storage fee after the licensee has contracted to repair said vehicle.

- F. All licensed tow operators will provide road service calls as required by the Police Department. Such calls shall include jump starting vehicles, changing tires, etc. The fee for these services shall be at those established in the attached Rate Schedule.
- G. The rates applicable to towing and storage performed under the license shall be posted in a conspicuous place, visible to the public at the Licensee's place of business and storage area.
- H. In the event that a Licensee has been summoned by the Township Police for the purpose of towing a vehicle, and the owner or operator of the vehicle arrives on the scene and removes, or has made arrangements to remove the vehicle prior to the removal of the vehicle by the Licensee and the vehicle does not need to be towed or impounded, the owner may not be charged by the licensee.
- I. The Township will not be responsible for any charges due and owing the Licensee for services performed hereunder involving motor vehicle accident vehicles, disabled vehicles, abandoned vehicles or vehicles impounded due to motor vehicle violations. The Township shall only be responsible for charged due on vehicles involved in crimes or other evidential needs ordered towed by the police.

APENDIX A

SEE RATE SCHEDULE

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Above Towing Fees apply to a private passenger automobile/utility vehicle and shall not include such additional services as may be required for recovery such as up-righting of vehicle, etc.

"Stand-by" time at scene of major accidents when so required by Police shall not exceed \$50.00 per hour in addition to above.

"Basic Towing Service" means the removal and transportation of an automobile from a highway, street or other public or private road, or a paring area, or from a storage facility and other services normally incidental thereto, but does not include recovery of an automobile from a position beyond the right-of-way or berm, or from being impaled upon any other object within the right-of-way or berm.

TOWNSHIP OF RARITAN
TOW OPERATORS RULES REGULATIONS AND GUIDELINES

I. Licensing Standards

A. Each applicant/licensee must provide and/or demonstrate:

1. It is qualified to tow and remove vehicles of all types, and that it has the facilities, equipment, expertise, personnel and storage areas to perform the services required by the Township.
2. Its equipment displays the licensee's business name, address, and a listed telephone number for the business.
3. The names, address and driver license numbers of all proposed drivers and employees (as well as new hires during the term) who will be rendering services under this Ordinance on behalf of the Licensee, as well as waivers permitting background checks. The Licensee shall be subject to termination for failure to submit an employee(s) to such a background check. An employee may ONLY perform services after being added to the Licensee's roster.

The Police Department of the Township of Raritan may conduct a thorough background check of the Licensee, its officers, principles and employees. A conviction for a high misdemeanor and/or a motor vehicle record evidencing unsafe driving habits or a disregard for the New Jersey Motor Vehicle laws,

will be considered reason to disqualify any applicant, or employee of the applicant.

4. All drivers employed by the Licensee shall be over the age of eighteen (18) years and must have a valid and appropriate New Jersey Driver's License for the equipment to be operated.
5. Reference names of municipalities and others for whom towing services have been provided.
6. A detailed listing of the equipment to include: types of vehicles, storage location of vehicles, and the maximum gross vehicle weight the vehicle is capable of towing. Each licensee will be solely responsible for the safety, maintenance and operation of each piece of equipment utilized; and shall be subject to periodic inspection by the Administrator or Chief of Police.
7. Proof of insurance and renewals during the term of license. Failure to have insurance or equipment readily available for the Township's inspection during the term of the License shall be sufficient cause for the denial/suspension and/or revocation of the License. Licensee shall be required to purchase and maintain Comprehensive General Liability Insurance, Comprehensive Automobile Liability Insurance and Worker's Compensation Insurance with minimum limits as follows:
 - a. Automobile Liability in an amount not less than \$1,000,000 combined single limits.
 - b. Worker's Compensation as required by statute.
 - c. Garage Keepers Liability in an amount of not less than the following:

Minimum of \$50,000 per location if a "secured" outside storage area is provided as stated in Section II (L) of these regulations
 - d. Garage Liability in an amount not less than \$1,000,000 combined single limit.
 - e. Policies endorsed to provide collision coverage for vehicles in tow.
 - f. Municipality as additional insured on liability policies.
 - g. Licensee shall provide the Township with certificates of insurance evidencing the coverage's and renewals during the License period.
8. No licensee shall assign, lease, sublet, or otherwise similarly dispose or transfer its equipment, services, or license granted hereunder and likewise shall not pass-off or transfer

or give to any other towing operator, its responsibility for providing services as a Licensee of Raritan Township under its Ordinance and Rules and Regulations, without the prior written approval of the Township Committee. No license shall be transferrable, and upon cessation of activity under the license through revocation or otherwise, the license shall be determined null and void.

9. The Township reserves the right to terminate the license of any operator if, in its sole opinion, the licensee has failed to adequately perform in accordance with these rules and regulations.
10. The Chief of Police shall be the administrator of these Regulations and shall have the right, in his sole discretion, to disapprove, suspend or revoke any license pursuant to the ordinance establishing these regulations.
11. No rewards, gifts or payment of money will be permitted to any police officer for calls or favoritism under penalty of law.
12. No licensed tow operator shall employ, directly or indirectly, any employee of the Township.
13. At all times, the towing company shall comply with the requirements of the Predatory Towing Prevention Act, N.J.S.A. 56: 13-1 et seq. and the regulations promulgated thereunder, N.J.A.C. 13:45A-31.1 et seq. Failure to do so may result in suspension or removal from the towing list.

II. Minimum Operating Requirements

A. Licenses and Licensees shall be limited by response time and convenience to the consuming public and the Township Police Department in that a Licensee shall be able to respond to an assigned call within a maximum of 20 minutes of receiving the assignment call, and the Licensee's storage facility and business office shall be located within one mile of the boundaries of Raritan Township.

B-1. Light Duty License

Any person who wishes to be licensed to provide light-duty tow truck or wrecker services for the Town Rotating Call List must meet the following requirements:

A. The licensee must own/lease at least two (2) vehicles to qualify under this section, one (1) of which must be a flatbed truck and the other to be a conventional hydraulic tow truck or wrecker with an under-reach.

B. A light-duty tow truck or wrecker shall be able to handle all makes of passenger vehicles and small trucks, such as pickup, small panel trucks and small dump trucks (up to eight thousand (8,000) pounds) and must have or be equipped with the following.

1. A valid DMV registration and, if required, a valid inspection certificate.
2. A Valid DMV amber light permit.
3. Dual rear wheels.
4. The garage within the licensee's business location must be equipped with equipment to move illegally parked cars such as a "Go Jacks" or comparable device.
5. A power takeoff controlled winch with a minimum cable thickness of three-eighths (3/8) inch or equivalent.
6. A comparable weight equal to the vehicles to be towed, with a minimum of five thousand five hundred (5,500) pounds.
7. A three-eighth (3/8) inch safety chain. The lift chain and the safety chain are not to be attached in any form or manner to the same part of the tow truck or wrecker.
8. All towing vehicles must have amber emergency lights mounted on each tow truck or wrecker so as to warn approaching traffic of their presence. The size and locations of these amber lights must conform to the New Jersey Division of Motor Vehicle standards.
9. All emergency flashing lights shall be such candlepower in intensity as to be visible one-quarter (1/4) mile away.
10. One (1) fire extinguisher (five (5) pound carbon dioxide or dry powder).
11. One (1) broom, a debris container and a shovel.
12. A minimum of five (5) gallons of absorbent granules for cleaning up fluid spills.
13. All tow truck or wrecker operators and their agents and/or employees are required to wear reflectorized traffic safety vests when working at the scene.
14. Detachable light bar with running, stop and turn lights.
15. Dual rear wheels.
16. Mirrors on the tow truck or wrecker must extend beyond the width of the vehicle being towed to provide a clear line of sight.
(Ord.No.09-07 & 191-4).

17. Motorcycle towing equipment
18. Traffic vest minimum class 2 ANSI 1999 or above
19. 21' or longer hydraulically operated 8,000 lbs. bed
20. Two (2) tire skates and four (4) point tie down straps
21. Must meet Federal DOT requirements under CFR392
22. Must meet Federal DOT requirements under CFR 392

B-2 Heavy Duty.

Any person who wishes to be licensed to provide heavy-duty tow truck or wrecker services for the Town Rotating Call List must meet the following requirements:

- a. The licensee must own/lease at least one (1) heavy-duty tow vehicle that is hydraulic in nature to qualify under this section. In addition, the following equipment is also required:
- b. All towing companies who provide heavy-duty tow truck or wrecker services would require a minimum of a twenty-five (25) ton, twin cable hydraulic in nature, with under-reach capabilities. Trucks would have to have the capabilities of towing an eighty thousand (80,000) pound vehicle.
- c. Dual rear wheels.
- d. Manufacture rating gross vehicle weight of thirty thousand (30,000) pounds. Manufacture rating may be obtained from the factory where the truck originates. Other written evidence of gross vehicle weight may be accepted, if verified.
- e. Power takeoff controlled winch with a minimum cable thickness of five-eighths (5/8) of an inch.
- f. All towing vehicles must have amber emergency lights mounted on each tow truck or wrecker so as to warn approaching traffic of their presence. The size and locations of this amber light must conform to the New Jersey Division of Motor Vehicle standards.
- g. All lights shall be of such candlepower in intensity as to be visible one-quarter (1/4) of a mile away.
- h. One-half (1/2) inch safety chain. The lift chain and the safety chain are not to be attached in any form or manner on the same part of the tow truck or wrecker.

I. Air brakes.

j.. Connecting air lines for connection with the air compressor and air break lines of the towed vehicle.

k. Detachable light bar with running, stop and turn lights.

l.. One(1) fire extinguisher (five(5) pound carbon dioxide or dry powder).

m.. One(1) broom, shovel and debris container.

n. Absorbent granules for cleaning up fluid spills.

o. Must be equipped with portable lighting equipment when required.

p. All tow truck or wrecker operators and their agents and/or employees are required to wear reflectorized traffic safety vests when working at the scene.

q. In the event that a recovery of a heavy-duty vehicle is warranted, the responding tow company shall assign a recovery supervisor to the scene that must have obtained a Level 3 National Driver License Certification or equivalent within nine(9) months of availability and must have received training in an industry-recognized course.

r. Semi-tractor with fifth wheel or wrecker with fifth wheel

s. Must meet Federal DOT requirements under CFR 392

t. Must meet Federal DOT inspections under CFR 392

C. All tow vehicles must carry road cleanup equipment and supplies, such as brooms, trash cans, plastic bags, shovels and speedy dry type materials. The towing service is responsible for the prompt and safe removal of the disabled vehicle and for the prompt and complete removal of all litter and debris (within reason) resulting from the accident with the exception of hazardous materials as set forth in N.J.S.A. 39:4-56.8. Failure of the Licensee to maintain adequate and safe equipment may be considered by the Township as sufficient cause for the suspension and/or revocation and termination of the License.

D. The Licensee shall give the owner of the vehicle a written receipt which shall indicate at a minimum, the date of towing, the location and the name and address of the owner

and/or driver of the vehicle, details of the vehicle towed, together with full information concerning the service and fee charged. Copies of receipts shall be maintained by the licensee for two (2) years and available for inspection by the Township.

- E. Any license plates removed by the Licensee shall be returned to the Police Department.
- F. Regular towing service: every person holding a license shall keep a record of details of the vehicle towed, together with full information concerning the service and fee charged and indicating the date of towing, the location and the name and address of the owner and/or driver of the vehicle, and details of the vehicle towed.
- G. A vehicle impounded by the police shall not be released without written permission from the Police Department which Release form shall be attached to invoice and filed.
- H. It shall be the responsibility of the Licensee to obtain proper proof of identification and ownership prior to the release of any vehicle. Release to an unauthorized person shall be at the sole and exclusive liability of the Licensee.
- I. The Licensee and its employees, are expected always to act in a professional manner and at all times to be courteous and respectful toward members of the public, as well as representatives of the Township of Raritan.
- J. The owner of any vehicle shall have the right to remove personal property from the towed/stored vehicle during normal business hours unless a "Police Hold" has been imposed. No person shall be allowed to remove license plates or parts from a vehicle until such time as all fees are paid. Vehicle owners, or their representatives shall have the right to take photographs of stored vehicles for insurance purposes during normal business hours.
- K. Each Licensee shall, at the time of initiating services pursuant to this ordinance, provide operators or owners of vehicles on which services are to be performed, with printed service description cards, disclosing the following minimum information:
 - 1. Name of Licensee;
 - 2. Address of Licensee;
 - 3. Telephone Number of Licensee;
 - 4. All rates: (Towing, Storage);
 - 5. Location of storage area; and
 - 6. Time periods during which vehicles may be picked up,
- L. Licensee shall be capable of providing outside storage for a minimum of ten vehicles and Licensees are required to provide a "secured" outside storage area. An "outside secured" area is defined under the Ordinance as a completely fenced, walled, or other man-made barrier that is at least six(6) feet in height to which access is controlled by the Licensee.

- M. Licensee must provide the street address and the municipal tax map and lot and block number of the storage facility. In the event that the Licensee does not own said storage facility, the Licensee shall present a lease evidencing that the Licensee has permission to store towed vehicles at the facility, and said lease shall be for a term of not less than the period of validity of the license, or subject to renewal during the term.

Licensees may share storage facilities; however, there must be sufficient storage for each licensee to comply with the minimum storage requirements independently. Storage facilities shall be available 24 hours a day, 365 days a year and open to the public on weekdays during normal business hours and limited hours on Saturday. The licensee shall be solely responsible for each vehicle in its storage area until final disposition and removal.

- N. Licensee, in conjunction with the Raritan Township Police, shall be responsible for disposing of vehicles left at a licensee's site as per N.J.S.A. 39:10A-1 through 39:10A-20 if the vehicle was towed per police direction.
- O. The Licensee shall be responsible for the towing of any disabled Township owned or operated vehicle when requested by the Township, including the changing of tires on said vehicle if required. This service will be furnished to the Township in accordance with the attached Rate Schedule.
- P. No licensee shall cruise along the streets for the purpose of soliciting business without having been called, nor respond to the scene of an accident or emergency for the purpose of towing vehicles unless specifically called there by the police or person involved in said accident or emergency. It is intended to prohibit tow operators from soliciting business at the scene of accidents and emergencies and shall not be construed to prohibit any tow operator from contracting with any person, firm or corporation provide that the Licenses, his agents and employees do not solicit towing contracts at the scene of accidents or emergencies.
- Q. At NO time shall a vehicle be removed from the roadway that has been involved in an accident, crime or possible motor vehicle violation without prior approval of the Police.
- R. All Licenses, by applying for and accepting a tow operator's license under the Raritan Township Ordinance and these Rules and Regulations, shall agree to, and shall indemnify and hold the Township of Raritan and its officers and employees harmless from any liability, expense or cost of suit, including reasonable Attorney's fees and costs, arising out of or resulting from any action of the tow operator in performing towing, storage or other services in the Township of Raritan as a Licensee under this Ordinance. This indemnification clause shall be included as part of the application for a license and shall also be printed on the applicant's license.

- S. For services rendered, or to redeem a motor vehicle from storage, the operator shall accept in payment either cash, a check issued by an insurance company, a valid debit card, or a valid major credit card or charge card subject to the provisions of N.J.S.A. 56:13-4.

III. Operation of Towing List

- A. A rotating list of all licensed tow operators shall be distributed by the Police Department. This list shall operate on a one week basis with the Licensee on top being the "Duty Wrecker". The "Duty Wrecker" shall be available 24 hours a day for that week and then shall rotate to the bottom of the list for the following week.
- B. All Licensees shall explain their reasons for refusing a call or lateness in responding to a call. Six (6) refusals/unavailability, or tardiness in response (while the Duty Wrecker) during a calendar year shall be grounds for suspension and/or removal from the list.

Should the "Duty Wrecker" not be available, or not arrive within the specified time limits of a maximum of 20 minutes, the next Licensee on the list shall be called and the original "Duty Wrecker" shall lose any claim to the call once the next licensee has been called.

- C. The Police Department reserves the right to summon an alternate towing service if needed to accommodate the existing situation, i.e., heavy duty wrecker, special materials, evidential needs, or close proximity when a dangerous situation exists.
- D. A vehicle owner/operator may request a towing service other than the "Duty Wrecker" or a Towing Operator that is not licensed by the Township of Raritan. If said requested Towing Operator does not respond in a timely manner, the "Duty Wrecker" will be called by Township Police. Motorist's requests for towing services through the various motor clubs shall be granted when possible, i.e. off the road and/or does not pose a threat to the motoring public. Licensed tow operators that are authorized towing agents for such clubs will not receive preferential treatment and the Township will not use such authorized towing agents.

IV. Rate Schedule

- A. The Township shall establish a table of maximum fees for towing and storage that may be charged by Licensed Tow Operators under the provisions of these regulations and the applicable ordinance. These fees govern automobiles and non-commercial vehicles only. The Township reserve the right to adjust these rates as may be needed. See attached "Rate Schedule: (Appendix A.)

B. If the owner/operator requests that the vehicle be transported out of the area, the tow operator shall receive payment for any additional miles traveled beyond the total distance traveled from the tow vehicle's base of service to the job, by way of the shortest route, rounded up to the nearest mile.

No person shall be liable for fees to any Licensed Tow Operator who tows or stores a private passenger automobile or noncommercial vehicle, excluding campers, which are in excess of those permitted by the towing and storage fee schedules established by these regulations.

Tow vehicles transporting multiple passenger cars at one time shall receive the applicable fees for each vehicle transported.

C. When towing series are required, the Day Rate shall apply when the time of the tow service is between 8:00a.m and 4:30p.m., Monday through Friday, except N.J. State Holidays. The Night, Weekend and Holiday rate shall otherwise apply.

D. The fees set forth on the rate schedule for storage are the maximum storage charges per 24 hour period, or any part thereof. For example, if a motor vehicle is towed to a storage facility at 7:00 p.m. on one day and the owner of the motor vehicle picks up the motor vehicle before 7:00 p.m. the next day, the towing company shall charge the owner of the motor vehicle for only one day of storage. If a motor vehicle is stored for more than 24 hours, but less than 48 hours, the towing company may charge for two days of storage.

E. Licensees shall not charge a storage fee after the licensee has contracted to repair said vehicle.

F. All licensed tow operators will provide road service calls as required by the Police Department. Such calls shall include jump starting vehicles, changing tires, etc. The fee for these services shall be at those established in the attached Rate Schedule.

G. The rates applicable to towing and storage performed under the license shall be posted in a conspicuous place, visible to the public at the Licensee's place of business and storage area.

H. In the event that a Licensee has been summoned by the Township Police for the purpose of towing a vehicle, and the owner or operator of the vehicle arrives on the scene and removes, or has made arrangements to remove the vehicle prior to the removal of the vehicle by the Licensee and the vehicle does not need to be towed or impounded, the owner may not be charged by the licensee.

I. The Township will not be responsible for any charges due and owing the Licensee for services performed hereunder involving motor vehicle accident vehicles, disabled vehicles, abandoned vehicles or vehicles impounded due to motor vehicle violations. The Township shall only be responsible for charges due on vehicles involved in crimes or other evidential needs ordered towed by the police.

APENDIX A

SEE RATE SCHEDULE

Above Towing Fees apply to a private passenger automobile/utility vehicle and shall not include such additional services as may be required for recovery such as up-righting of vehicle, etc.

"Stand-by" time at scene of major accidents when so required by Police shall not exceed \$50.00 per hour in addition to above.

. "Basic tow" shall mean private property towing and other non-consensual towing as defined in this section and other ancillary services that include the following: arriving at the site from which a motor vehicle will be towed; 15 minutes waiting time; hooking a motor vehicle to, or loading a motor vehicle onto, a tow truck; transporting a motor vehicle to a storage facility; unhooking or unloading a motor vehicle from the tow truck; and situating the motor vehicle in the space in which it will be stored. "Basic tow" also includes issuing documents for the release of a motor vehicle to its owner or other person authorized to take the motor vehicle; issuing an itemized bill; three trips to the motor vehicle in storage, which, if applicable, include making a vehicle available to an insurance adjuster or appraiser; issuing documents for the release of a motor vehicle to its owner or other person authorized to take the motor vehicle; and retrieving a motor vehicle from storage during the hours in which the storage facility is open.

COUNTY OF HUNTERDON, NEW JERSEY

RESOLUTION #17-91

WHEREAS, an emergency condition has arisen in that the Township is expected to enter in contracts, commitments or payments prior to the 2017 budget and no adequate provision has been made in the 2017 temporary budget for the aforesaid purpose; and

WHEREAS, N.J.S.A. 40A:4-20 provides for the creation of an emergency temporary appropriation for said purpose; and

WHEREAS, the total emergency temporary appropriation resolution adopted in the year 2017 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$1,389,993.

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$1,389,993 as follows:

Public Employee Retirement System -	\$469,469.00
Police & Fireman Retirement System -	\$920,524.00

2. Said emergency temporary appropriations will be provided for in the 2017 budget.

3. The one certified copy of this resolution be filed with the Director, Division of Local Government Service.

ATTEST:

**TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF RARITAN**

William Bray
Acting Township Clerk

Karen Gilbert
Mayor

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CERTIFICATION

I, William Bray, Acting 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 March 21, 2017.

William Bray
Acting Township Clerk