

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, MAY 21, 2019**

MEETING CALLED: Mayor Kuhl called the regular meeting to order at 6:34 p.m.

ROLL CALL: The following were present: Mayor, Jeff Kuhl; Deputy Mayor, Louis Reiner; Comm. Karen Gilbert; Comm. Michael Mangin

ABSENT: Comm. Gary Hazard

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

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

Attorney, Ed Purcell, read Resolution #19-127 in full.

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

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

RESOLUTION #19-109

RESOLUTION RETIRING INTO EXECUTIVE SESSION

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

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

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

- | | | |
|----|----------------------------|---------------------------------------|
| a) | Contract Negotiations: | PBA/SOA update; Catalyst Experiential |
| b) | Personnel: | DPW Personnel |
| c) | Attorney-Client Privilege: | |
| d) | Pending Litigation: | Affordable Housing Update |

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

The regular meeting reconvened at 7:05 p.m.

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

AMEND/APPROVE THE AGENDA

Mayor Kuhl asked for a motion to amend or approve the Agenda.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

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

There was no public comment.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: **\$16,746,427.33**

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

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

Payment of Bills as listed for the Raritan Township Fire Company: **\$5,729.01**

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

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

RECUSE: Mangin

REPORTS

The following April 2019 reports were acknowledged by the Committee with no comment:

*Tax Collector

*Animal Control

*Court

LIAISON REPORTS

Karen Gilbert: Environmental Commission/Green Team; Open Space; Parks and Recreation; Planning Board (Class III Member)

Committee Member Gilbert announced that the Environmental Commission held its annual road clean up on May 18. Committee Member Gilbert reported on a meeting of the Parks and Recreation Committee advising that discussion took place regarding an ongoing issue of damage to a Flemington Borough residence from falling debris from the July 4th fireworks display including replacement of the soft-top to the resident's jeep. Committee Member Gilbert commented that clean up to the property has been costly. Committee Member Gilbert advised that the resident has installed solar panels and has expressed concern to the Parks and Recreation Committee about potential damage from the fireworks. Committee

Member Gilbert continued to explain that she has asked the Township Engineer to advise on any concerns regarding the fireworks and the solar panels. Committee Member Gilbert also reported on a meeting of the Planning Board advising of an amended site plan approval for Pulte homes regarding the relocation of air conditioning units with screening from what was originally approved. Committee Member Gilbert also reported that Deputy Mayor Reiner attended the senior luncheon and deferred report to him.

Gary Hazard:

Court/Police; RTMUA

Committee Member Hazard was absent.

Jeff Kuhl:
(Mayor)

Planning Board (Class I Member); Personnel; Finance; Historians, Open Space

Mayor Kuhl reported on meetings of the Historians and Open Space Committees advising that discussion is underway for the Historians annual fall trip and that discussion continues regarding potential open space properties and funding of such. Mayor Kuhl announced that the May 22 Planning Board meeting was cancelled, as the applicant was not prepared. Mayor Kuhl also announced that a Memorial Day Ceremony will be held on Monday, May 27, 2019 at 8:30 a.m. at the Municipal Building with the Flemington Borough Memorial Day parade to follow.

Michael Mangin:

Board of Health; Finance; Public Works

Committee Member Mangin commended the Department of Public Works for their efforts and advised that the salt dome will be filled with the next 50-ton delivery. Committee Member Mangin added that the County salt contract has been extended for one year with no increase in cost. Committee Member Mangin reported on a meeting of the Board of Health advising of two septic waiver approvals; that there is a slight uptick in rabies among raccoons; and to be mindful of the health concerns from standing water due to the increase in the amount of rainfall. Committee Member Mangin also advised that a discussion was held on Vaping and deferred comment to Municipal Clerk/Board of Health Secretary, Lisa Fania.

Ms. Fania explained that Vaping amongst the youth has reached epidemic proportions, advising that there has been a 78% increase in use among high school students and a 40% increase among middle school students countywide. She continued that no regulations exist for the amount of nicotine dispensed and that there are serious health concerns associated with usage. Ms. Fania advised that the Hunterdon County Department of Health and the Board of Education are taking steps to promote awareness and education throughout the County regarding the health risks of Vaping. She added that the Board of Health along with representatives from the American Cancer Society and Hunterdon County Department of Health will be attending a June meeting of the Township Committee to speak on the issue.

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

Deputy Mayor Reiner reported that he attended the Senior Luncheon and extended gratitude to Joe Colalillo, Shoprite of Hunterdon County for his generous donation to the event.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

ORDINANCES (INTRODUCTION/FIRST READING)

Mayor Kuhl read by title Ordinance #19-18.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY REVISING PARAGRAPH (A) OF SECTION 2.56.190 ENTITLED "OUTSIDE EMPLOYMENT OF OFF-DUTY POLICE OFFICERS-COMPENSATION" OF CHAPTER 2.56 ENTITLED "POLICE DEPARTMENT"

Mayor Kuhl asked for a motion to introduce Ordinance #19-18 on first consideration.

Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for June 5, 2019.

ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)

Mayor Kuhl read by title Ordinance #19-08.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING TITLE 16 ENTITLED "ZONING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY REVISING SECTION 16.02.030 ENTITLED "DEFINITIONS" OF CHAPTER 16.02 ENTITLED "PURPOSE, ADMINISTRATION, DEFINITIONS;" ADDING NEW CHAPTER 16.71 ENTITLED "COLLOCATION, REMOVAL AND REPLACEMENT OF WIRELESS ANTENNAS ON EXISTING FACILITIES;" AND REVISIONS TO SCHEDULE IV ENTITLED "FEES"

Mr. Purcell explained that the proposed ordinance provides an administrative mechanism for the approval of applications by the Zoning Department for collocations onto existing towers and base stations of wireless facilities that are not substantial changes, as defined.

Mayor Kuhl asked for a motion to open public hearing.

Motion by Mangin, seconded by Gilbert

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-08 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

ORDINANCE ADOPTED

ORDINANCE 19-08

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING TITLE 16 ENTITLED "ZONING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY REVISING SECTION 16.02.030 ENTITLED "DEFINITIONS" OF CHAPTER 16.02 ENTITLED "PURPOSE, ADMINISTRATION, DEFINITIONS;" ADDING NEW CHAPTER 16.71 ENTITLED "COLLOCATION, REMOVAL AND REPLACEMENT OF WIRELESS ANTENNAS ON EXISTING FACILITIES;" AND REVISIONS TO SCHEDULE IV ENTITLED "FEES"

WHEREAS, the Township of Raritan has reviewed Title 16, Land Development Code, Title III of the Township Code, entitled “Zoning,” and has determined this section should be revised in accordance with recent law and regulations; and

WHEREAS, the current Code does not have provisions for cellular antennas collocation, removal or replacement of antennas on existing towers and applications for such collocation, removal and replacements are currently handled by the Zoning Board of Adjustment through the waiver of site plan review and approval process pursuant to Ordinance section 16.14.020, which consumes a lot of Board time and applicant expense; and

WHEREAS, on October 21, 2014, the Federal Communications Commission issued a Report and Order which allows municipalities to process applications for modification of existing wireless towers and base stations administratively, either through their land use boards or through their municipal officials; and

WHEREAS, under §6409(a) of the *Middle Class Tax Relief and Job Creation Act of 2012*, Pub.L. 112-96 (the so-called *Spectrum Act*), federal law provides that governments may not deny, and shall approve, eligible facilities’ request for modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station, but conditions may be imposed on the grant of such applications; and

WHEREAS, a local government may continue to enforce and condition approval on compliance with general applicable building, structural, electrical, and safety codes and with other laws codifying objective standards reasonably related to health and safety and allows municipalities to have discretion over a modification application if it: entails any excavation or deployment outside the current site of the tower or base station; would defeat the existing concealment elements of the structure; or does not comply with conditions associated with the prior approval of the structure, subject to certain exceptions such as non-substantial increase in height; and

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-46.2, holds that an application for development to collocate wireless communications equipment on a wireless communications support structure or an existing equipment compound shall not be subject to site plan review, subject to certain requirements:

the wireless communications structure was previously granted all necessary approvals;

the proposed collocation shall not increase the overall height of the wireless communications support structure by more than ten (10%) percent of the original height, the width of the wireless communications support structure, or the square footage of the existing equipment compound to an area greater than 2,500 square feet;

the proposed collocation complies with the final approval of the wireless communications support structure and all conditions attached thereto and does not create a condition for which a variance would be required.

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

Section 1. Chapter 16.02 entitled “Purpose, Administration, Definitions” of Title 16 entitled “Zoning” of the Township Code is amended and supplemented through the addition of the following definitions to Section 16.02.030 entitled “Definitions” as follows:

...

ELIGIBLE FACILITIES REQUEST

A request for modification of an existing wireless tower or base station that does not constitute a substantial change (as defined herein) and involves collocation of new transmission equipment; removal of transmission equipment; or replacement of transmission equipment.

...

SUBSTANTIAL CHANGE

A modification that substantially changes the physical dimensions of an eligible support structure, as defined by 47 CFR 1.50001(c), as may be amended, but which currently provides the following criteria:

- i. For towers other than towers in the public right-of-way, it increases the height of the tower by more than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed twenty feet, whichever is greater; for other eligible support structures, it increases the height of the structure by more than 10% or more than ten feet, whichever is greater (changes in height should be measured from the original support structure in cases where deployments are or will be separated horizontally, such as on buildings' rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station, inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act. 47 CFR §1.40001(b)(7)(i)(A));
- ii. For towers other than towers in the public right-of-way, it involves adding an appurtenance to the body of the tower that would protrude from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for other eligible support structures, it involves adding an appurtenance to the body of the structure that would protrude from the edge of the structure by more than six feet;
- iii. For any eligible support structure, it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; or, for towers in the public right-of-way and base stations, it involves installation of any new equipment cabinets on the ground if there are no pre-existing ground cabinets associated with the structure, or else involves installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets associated with the structure;
- iv. It entails any excavation or deployment outside the current site;
- v. It would defeat the concealment elements of the eligible support structure; or
- vi. It does not comply with conditions associated with the siting approval of the construction or modification of the eligible support structure or base station equipment, provided however that this limitation does not apply to any modification that is non-compliant only in a manner that would not exceed the thresholds identified in paragraphs (i) – (v) of this section.

Section 2. Title 16 of the Township Code entitled “Zoning” is hereby supplemented and amended through the addition of Chapter 16.71 entitled “Collocation, Removal and Replacement of Wireless Antennas on Existing Facilities” as follows:

16.71.010. Purpose

The purpose of this chapter is to provide requirements for Eligible Facilities Requests for modifications to existing towers or base stations that do not constitute a substantial change.

16.71.020. Collocation on an Existing Structure; Eligible Facilities Request

- A. **Application.** All applicants shall submit the information necessary for the Township to consider whether an application is an Eligible Facilities Request, as set forth in Section 16.71.030. The applicant will not be required to demonstrate a need or business case for the proposed modification.
- B. **Type of Review.** Upon receipt of an application for an Eligible Facilities Request pursuant to this Chapter, the Township Engineer shall review such application to determine whether the application so qualifies.
- C. **Timeframe for Review.** Within 60 days of the date on which an applicant submits an application seeking approval under this Chapter, the Township Engineer shall approve the application with or without conditions unless the Township Engineer determines that the application is not covered by this Chapter, in which case the Township Engineer shall deny the application.
- D. **Tolling of the Timeframe for Review.** The 60-day review period begins to run when the application is filed, and may be tolled only by mutual agreement by the Township of Raritan and the applicant, or in cases where the Township Engineer determines that the application is incomplete.
 1. To toll the timeframe for incompleteness, the Township Engineer must provide written notice to the applicant within 30 days of receipt of the application, specifically delineating all missing documents or information required in the application.
 2. The timeframe for review begins running again when the applicant makes a supplemental submission in response to the Township Engineer's notice of incompleteness.
 3. Following a supplemental submission, the Township Engineer will notify the applicant within 10 days that the supplemental submission did not provide the information identified in the original notice delineating missing information. The timeframe is tolled in the case of second or subsequent notices pursuant to the procedures identified in this section. Second or subsequent notices of incompleteness may not specify missing documents or information that were not delineated in the original notice of incompleteness.
- E. **Not a Covered Request.** If the Township Engineer determines that the applicant's request for collocation is a substantial change to collocation on an existing structure as defined in this Ordinance, the presumptively reasonable timeframe, as prescribed by the FCC's Shot Clock order, will begin to run from the issuance of the Township Engineer's decision that the application is not a covered request. To the extent such information is necessary, the Township Engineer may request additional information from the applicant to evaluate the application. When the Township Engineer determines that such an application constitutes a substantial change, applicable portions of this Chapter and the Raritan Township

Ordinances must be complied with, including but not limited to the requirement for site plan review and application for variances.

- F. Failure to Act. In the event the Township Engineer fails to approve or deny a request seeking approval under this Chapter within the timeframe for review (accounting for any tolling), the request shall be deemed granted. The deemed grant does not become effective until the applicant notifies the Township of Raritan in writing after the review period has expired (accounting for any tolling) that the application has been deemed granted.
- G. Remedies. Applicants and the Township of Raritan or its agents may bring claims related to this Chapter to any court of competent jurisdiction.

16.71.030. Eligible Facilities Request Application Requirements. An Eligible Facilities Request Application shall include the following:

- A. Applicant's certification that they have the legal authority to collocate/modify a support structure which may include approvals from the jurisdiction authorizing the initial placement of transmission equipment on the tower or other structure.
- B. The identity of the owner of the parcel.
- C. Detailed site information. Except where the facility will be located entirely within an existing structure or an existing building, detailed site plan information shall show:
 - 1. Existing and proposed improvements. The location and dimensions of the existing facility and the maximum height above ground of the facility (also identified in height above sea level).
 - 2. Elevation. The benchmarks and datum used for elevations.
 - 3. Design. The design of the facility, including the specific type of support structure and the design, type, location, size, height and configuration of applicant's existing and proposed antennas and other equipment. The method(s) by which the antennas will be attached to the mounting structure shall be depicted. (Note shall be placed on all plans that the antennas, fasteners, frames, cables, brackets and miscellaneous equipment shall be painted as directed by the Township Engineer and/or Zoning Officer.)
 - 4. Structural Analysis.
 - 5. Setbacks. All existing setbacks.
 - 6. Location of accessways. The location of all existing accessways and the location and design of all proposed accessways.
 - 7. Any existing/proposed landscaping, screening and buffering.
 - 8. A Knox Box and/or Knox padlock for emergency services shall be shown on the plans and provided.
 - 9. Latest TIA Inspection Report.
- D. All applications for cellular towers, including collocation and Eligible Facilities Requests, shall comply with any and all general applicable building, structural, electrical, and safety codes, as well as any others deemed by the Township Engineer to be related to health and safety.

E. As-built plans for all approved plans shall be provided post construction.

Section 3. Title 16 entitled “Zoning” of the Township Code is amended and supplemented through the revision of Schedule IV entitled “Fees,” to add a new review fee as follows:

Collocation on Existing Cellular Tower Structure/Eligible Facilities Request Review Fee:

Application
\$600

Escrow
\$1,000

Section 4. If any section or provision of this Ordinance shall be held invalid in any court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5. The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Hunterdon County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities.

The Township Clerk shall execute Affidavits of Proof of Service of the notices required by this section, and shall keep the Affidavits on file along with the Proof of Publication of the notice of the required public hearing on the proposed change.

Section 6. After introduction, the Township Clerk is hereby directed to submit a copy of the within Ordinance to the Planning Board of the Township of Raritan for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

Section 7. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 8. This Ordinance shall take effect upon (i) filing with the Hunterdon County Planning Board in accordance with the Municipal Land Use Law; and (ii) adoption and publication in the manner required by New Jersey law.

Mayor Kuhl read by title Ordinance #19-12.

AN ORDINANCE VACATING AN EXISTING DECLARATION OF CONSERVATION EASEMENT AND AUTHORIZING AND ACCEPTING AN AMENDED DECLARATION OF CONSERVATION EASEMENT ON PROPERTY KNOWN AND DESIGNATED AS BLOCK 16.01, LOTS 35, 36 AND 38 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

Mayor Kuhl asked for a motion to open public hearing.

Motion by Gilbert, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-12 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

ORDINANCE ADOPTED

ORDINANCE #19-12

AN ORDINANCE VACATING AN EXISTING DECLARATION OF CONSERVATION EASEMENT AND AUTHORIZING AND ACCEPTING AN AMENDED DECLARATION OF CONSERVATION EASEMENT ON PROPERTY KNOWN AND DESIGNATED AS BLOCK 16.01, LOTS 35, 36 AND 38 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

WHEREAS, Flemington Fair and Speedway Corporation (“FFSC”) is the owner of property known and designated as Block 16.01, Lot 35 on the Tax Map of the Township of Raritan (the “FFSC Property”); and

WHEREAS, Resnick Development, LLC (“Resnick”) is the owner of property known and designated as Block 16.01, Lot 36 on the Tax Map of the Township of Raritan (the “Resnick Property”); and

WHEREAS, Raritan Town Square, L.L.C. (“RTS”) is the owner of property known and designated as Block 16.01, Lot 38 on the Tax Map of the Township of Raritan (the “RTS Property”); and

WHEREAS, on May 23, 2011, the Raritan Township Planning Board granted amended major site plan approval, minor subdivision (lot line) approval, and variance relief for property (the “Property”) located at Block 16.01, Lots 35, 36 & 38 as shown on the Tax Map of the Township of Raritan, which approval was memorialized by Resolution 8-2011 (the “2011 Resolution”); and

WHEREAS, the 2011 Resolution required the execution of a conservation easement on the Property; and

WHEREAS, in connection with the 2011 Resolution, FFSC, Resnick and RTS (collectively, the “Grantors”) executed a Declaration of Conservation Easement (the “Conservation Easement”) dated February 2, 2012 which was duly recorded in the Office of the Hunterdon County Clerk at Book 2284, page 618 on March 9, 2012; and

WHEREAS, the Conservation Easement encumbered three properties as follows: a portion of the Resnick Property (“Conservation Easement Area 1”); a portion of the Resnick Property and FFSC Property (“Conservation Easement Area 2”); and a portion of the RTS Property (“Conservation Easement Area 3”) (collectively, Conservation Easement Area 1, Conservation Easement Area 2 and Conservation Easement Area 3 shall be known as the “Natural Area”); and

WHEREAS, on June 13, 2018, the Raritan Township Planning Board granted amended site plan approval, which was memorialized by Resolution 13-2018 (the “2018 Resolution”) in connection with further development of a residential building and a mixed use building and associated site improvements on the FFSC Property and the Resnick Property in conjunction with an agreement by Raritan Towns Square to set aside a percentage of residential units to be available for low and moderate income households; and

WHEREAS, in connection with the 2018 Resolution and a permit issued by the New Jersey Department of Environmental Protection to fill certain wetlands as indicated on FWGP6 bearing Permit Number 1021-03-0008.2 FWW170001 dated June 1, 2018, the Natural Area shall be revised as permitted by the Conservation Easement so that the area known as Conservation Easement Area 2 shall be vacated; and

WHEREAS, the Grantors have prepared a proposed Amended Declaration of Conservation Easement which releases from all restrictions that portion of the Natural Area known as Conservation Easement Area 2 previously encumbered by the Conservation Easement, and further identifies those portions of the Natural Area known as Conservation Easement Area 1 and Conservation Easement Area 3 which remain subject to the restrictions of the Conservation Easement; and

WHEREAS, by letter dated February 11, 2019, Grantors have requested that the Township vacate and release for development Conservation Easement Area 2 and authorize and approve the execution of the proposed Amended Declaration of Conservation Easement; and

WHEREAS, the Township Attorney and Township Engineer have reviewed and approved the proposed Amended Declaration of Conservation Easement.

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

1. The Township Committee hereby authorizes the vacation and release from restrictions of that portion of the Natural Area known as Conservation Easement Area 2, as more particularly described in the Amended Declaration of Conservation Easement, and confirming the Conservation Easement restrictions on those areas of the Natural Area known as Conservation Easement Area 1 and Conservation Easement Area 3, as more particularly described in the Amended Declaration of Conservation Easement.
2. The Township Committee further authorizes and approves the execution of the Amended Declaration of Conservation Easement, a copy of which is annexed hereto.

3. Upon adoption, a certified copy of this Ordinance shall be forwarded to Kimberly Bennett, Esq., Fox Rothschild LLP, P.O. Box 5231, Princeton, New Jersey 08543-5231, with directions to forward a fully executed copy of the Amended Declaration of Conservation Easement, together with all attachments, to the Township Clerk for recording.

Mayor Kuhl read by title Ordinance #19-16.

AN ORDINANCE REAPPROPRIATING \$19,785.64 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR THE CONSTRUCTION OF THE DPW POLE BUILDING, TO INCLUDE, ACQUISITION OF SUBGRADE MATERIALS, ELECTRIC, DRAINAGE, PAVEMENT AND A CONCRETE FLOOR FOR THE DEPARTMENT OF PUBLIC WORKS IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Kuhl asked for a motion to open public hearing.

Motion by Mangin, seconded by Gilbert

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-16 on final consideration, same to be published according to law.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

ORDINANCE ADOPTED

ORDINANCE #19-16

AN ORDINANCE REAPPROPRIATING \$19,785.64 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE ADDITIONAL FUNDS FOR THE CONSTRUCTION OF THE DPW POLE BUILDING, TO INCLUDE, ACQUISITION OF SUBGRADE MATERIALS, ELECTRIC, DRAINAGE, PAVEMENT AND A CONCRETE FLOOR FOR THE DEPARTMENT OF PUBLIC WORKS IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:]

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$19,785.64 of the proceeds of obligations originally made available pursuant to the following bond ordinance of the Township of Raritan, in the County of Hunterdon, New Jersey (the "Township") are no longer necessary for the purpose for which the obligations previously were authorized:

Ordinance Number	Improvement Description and Date of Adoption	Amount to be Reappropriated
#17-32	Hampton Corner Road Project Flood Study, sec 3(e), finally adopted 11/6/2017.	\$1,520.42
#17-32	Road reconstruction in the area of Barton Estates, Rake Road and Hardscrabble Road, sec 3(a), finally adopted 11/6/2017.	\$13,716.66
#17-32	Acquisition of equipment for Public Works Department consisting of a sander, mower, slab saw, mortar mixer, roller and multi-use mower/snow machine, sec 3(b), finally adopted 11/6/2017.	\$4,452.90
#17-32	Acquisition of a pick-up truck, sec 3(c), finally adopted 11/6/2017.	\$95.66

Section 2. \$19,785.64 described in Section 1 hereof and made available pursuant to N.J.S.A. 40A:2-39, is hereby reappropriated to provide additional funds for the construction of the DPW pole building, to include, subgrade materials, electric, drainage, pavement and a concrete floor. The reappropriation amount of \$19,785.64 is in addition to the \$80,000 appropriated by Section 3(d) of bond ordinance #17-32 for a total cost of \$99,785.64.

Section 3. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Kuhl read by title Ordinance #19-17.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY REVISING PARAGRAPH (L) OF SECTION 2.12.070 ENTITLED "DUTIES AND RESPONSIBILITIES OF THE TOWNSHIP ADMINISTRATOR" OF CHAPTER 2.12 ENTITLED "TOWNSHIP ADMINISTRATOR"

Mayor Kuhl asked for a motion to open public hearing.

Motion by Gilbert, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-17 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

ORDINANCE ADOPTED

ORDINANCE 19-17

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY REVISING PARAGRAPH (L) OF SECTION 2.12.070 ENTITLED "DUTIES AND RESPONSIBILITIES OF THE TOWNSHIP ADMINISTRATOR" OF CHAPTER 2.12 ENTITLED "TOWNSHIP ADMINISTRATOR"

WHEREAS, the Township Committee of the Township of Raritan wishes to clarify the authority of the Township Administrator, or his or her designee, to act as purchasing agent for the Township of Raritan.

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

Section 1. Paragraph (L) of Section 2.12.070 entitled "Duties and Responsibilities of the Township Administrator" of Chapter 2.12 entitled "Township Administrator" of Title 2 entitled "Administration and Personnel" of the Township Code is amended and supplemented through the following revisions:

Establish and oversee a proper purchasing system; approve all specifications for goods and services to be purchased by the Township by public bid for formal solicitation of proposals, except for the technical portions of specifications prepared by any licensed professional; purchase all materials, supplies, equipment, and labor under contract required by any department, office or agency of the Township; and approve all bills and vouchers for payment prior to final approval by the Township Committee. The Township Administrator, or his or her designee, is designated as the "purchasing agent," as such term is defined in N.J.S.A. 40A:11-2. Pursuant to N.J.S.A. 40A:11-3(a), [The Township Administrator, as the "purchasing agent",] the Administrator, or his or her designee, as the purchasing agent is authorized to award contracts under the bid threshold for nonqualified purchasing agents as set forth in N.J.S.A. 40A:11-3(a), [as such bid threshold may be raised by the governor from time to time] and where the Administrator, or his or her designee, is a qualified purchasing agent, then under the bid threshold set forth for qualified purchasing agents in N.J.S.A. 40A:11-3(c) as may be raised by the governor from time to time. The Administrator, or his or her designee, shall comply with all requirements of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all applicable regulations. [The Township Administrator, as the "purchasing agent" is authorized to award contracts without solicitation of quotes which are less than 15% of the bid threshold for nonqualified purchasing agents as set forth in N.J.S.A. 40A:11-6.1, as such bid threshold may be raised by the governor from time to time.]

...

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

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect upon adoption and publication in the manner required by New Jersey law.

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

CORRESPONDENCE

There was no correspondence.

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of May 7, 2019.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

Township Committee Executive Session Meeting Minutes

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes of May 7, 2019.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

RESOLUTIONS

Mayor Kuhl read Resolution #19-129 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-129.

Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

RESOLUTION #19-129

**A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR
AND OPEN CONTRACT FOR THE ADMINISTRATION
OF AFFORDABLE HOUSING**

WHEREAS, there exists a need for professional services for the Township of Raritan for a non-fair and open contract for the administration of affordable housing pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Township Committee has determined that Central Jersey Housing Resource Center (CJHRC) should be awarded the contract for the administration of affordable housing; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law (N.J.S.A. 40A:11-11 *et seq.*) exempts such professional services from competitive bidding; and

WHEREAS, prior to the execution of a contract, Central Jersey Housing Resource Center will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger has made any reportable contributions to a political party or candidate for the Township Committee of the Township of Raritan in the previous year, and that the contract will prohibit any individual with a 10% interest or larger from making any reportable contributions through the term of the contract, however, this not to be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during calendar year 2018, pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

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

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-12 for the administration of affordable housing.

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. Central Jersey Housing Resource Center (CJHRC) is hereby awarded a contract for the administration of affordable housing from July 1, 2019 and continues through June 30, 2020.
2. That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
3. The Business Disclosure Entity Certification shall be placed on file with this resolution.
4. Central Jersey Housing Resource Center (CJHRC) will be compensated in the amount of \$3,943.28 per month for a one-year total of \$47,319.36 as specified in the contract.
5. A notice of this resolution shall be published in an official newspaper of the Township and in accordance with the Local Public Contracts Law.

Mayor Kuhl read Resolution #19-130 by title.

Mr. Hutchins advised that since the 2019 tax levy has not been certified and will not be in time for the tax bills to be mailed in a timely manner, there will be insufficient cash flow to support municipal obligations and that estimated tax bills will be issued. He continued that a letter of explanation will be included with the estimated tax bills.

Deputy Mayor Reiner requested that a larger pie chart depicting the tax distribution be included with the regular tax bill than that which was included last year.

Mayor Kuhl asked for a motion to adopt Resolution #19-130.
Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

RESOLUTION #19-130

A RESOLUTION AUTHORIZING ESTIMATED 2019 TAX BILLS

WHEREAS, the 2019 tax levy has not been certified at this time and said levy will not be certified in time for tax bills to be mailed in a timely manner; and

WHEREAS, there will be insufficient cash flow to support municipal operations in late July, August and September unless third quarter tax revenue is received on time; and

WHEREAS, the Tax Collector and Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3.

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

1. The Tax Collector of the Township of Raritan is authorized and directed to prepare and issue estimated tax bills for the third installment of 2019 taxes in accordance with the provisions of N.J.S.A. 54:4-66.2 *et seq.*
2. The estimated annual tax levy to be used for the preparation of the estimated tax bills shall be \$103,170,994.55 which is 2.54% more than the tax levy of 2018. The estimated tax rate for 2019 is \$2.514.
3. The Tax Collector shall take whatever action as permitted and required by Chapter 72 Public Laws 1994 and N.J.S.A. 54:4-66.2 and 54:4-66.3.

Mayor Kuhl read Resolution #19-131 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-131.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

RESOLUTION #19-131

A RESOLUTION AUTHORIZING CONSENT TO THE FILING AND CONTINUED PROSECUTION OF THE LAND USE APPLICATION BY WAL-MART STORES, INC. TO THE TOWNSHIP OF RARITAN PLANNING BOARD FOR BLOCK 16.01, LOTS 35, 36 AND 38

WHEREAS, Wal-Mart Stores, Inc. (“Wal-Mart”) is the owner of the existing Wal-Mart store located at 150 State Highway 31, Township of Raritan, Hunterdon County, New Jersey, and otherwise known as Block 16.01, Lot 35 (the “Property”); and

WHEREAS, Wal-Mart has filed an application with the Township of Raritan Planning Board for minor site plan approval to permit the construction of an approximately 1,300 square foot single story stock room expansion at the northwest corner of the existing Wal-Mart store, the restriping/repaving of the existing parking area reducing the total number of parking spaces by eight (8) and creating ten (10) reserved parking spaces for Wal-Mart’s Online Grocery Pickup program, along with installation of certain freestanding directional signage and incidental grocery pickup “reserved” parking signage (the “Proposed Development”); and

WHEREAS, in a completeness letter, dated May 1, 2019, Jeffrey W. Vaccarella, Assistant Planner & Zoning Inspector for the Township of Raritan, requested that Applicant obtain consent from the current owners of two (2) adjacent properties within the overall shopping area, including Block 16.01, Lot 38, to prosecute the pending application; and

WHEREAS, the Township of Raritan is the current owner of Block 16.01, Lot 38, which is adjacent to the Property; and

WHEREAS, the Proposed Development, if constructed, would not in any way negatively impact Block 16.01, Lot 38.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, does hereby authorize and consent to the filing and continued prosecution of the application by Wal-Mart Stores, Inc. before the Township of Raritan Planning Board for approval to construct the Proposed Development; and

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute the Consent of Owner form attached hereto as Exhibit “A.”

Mayor Kuhl read Resolution #19-132 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-132.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

RESOLUTION #19-132

**A RESOLUTION AUTHORIZING THE FULL-TIME EMPLOYMENT OF
JAMES GILMORE IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Township of Raritan is in need of a full-time employee in the Department of Public Works; and

WHEREAS, the Mayor and Township Committee desires to fill this position; and

WHEREAS, the Superintendent of Public Works has interviewed and recommends James A. Gilmore to be employed as full-time Department of Public Works employee pending the outcome of his pre-employment physical and drug screening; and

WHEREAS, the Township Administrator agrees with the Superintendent of Public Works recommendation.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that James A. Gilmore is hereby employed as a full-time Department of Public Works employee effective May 28, 2019 at an hourly rate of \$20.47, as set forth in Teamsters Local 469 Contract, pending the outcome of his pre-employment physical and drug screening.

Mayor Kuhl read Resolution #19-133 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-133.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Hazard

RESOLUTION #19-133

**A RESOLUTION AUTHORIZING THE FULL-TIME EMPLOYMENT OF
DANIEL E. BOWLBY IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Township of Raritan is in need of a full-time employee in the Department of Public Works; and

WHEREAS, the Mayor and Township Committee desires to fill this position; and

WHEREAS, the Superintendent of Public Works has interviewed and recommends Stephen Bartzak to be employed as full-time Department of Public Works employee pending the outcome of his pre-employment physical and drug screening; and

WHEREAS, the Township Administrator agrees with the Superintendent of Public Works recommendation.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that Daniel E. Bowlby is hereby employed as full-time Department of Public Works employee effective May 28, 2019 at an hourly rate of \$20.47, as set forth in Teamsters Local 469 Contract, pending the outcome of his pre-employment physical and drug screening.

CONSENT AGENDA

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

Mayor Kuhl asked for a motion to approve the Consent Agenda.

Committee Member Gilbert commented that the Wal-Mart donation is made annually to the Police Department.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

RESOLUTION #19-128

**A RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL
ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY
PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1985)
WAL-MART DONATION**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

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

WHEREAS, the Township of Raritan Police Department has been awarded \$1,500.00 from Wal-Mart and wishes to amend its 2019 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 2019 in the sum of \$1,500.00 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:

Law Enforcement Officers Training and Equipment Fund

BE IT FURTHER RESOLVED that a like sum of \$1,500.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from Caps

Public and Private Programs Off-Set by
Revenues:

Law Enforcement Officers Training and Equipment Fund

BE IT FURTHER RESOLVED that the Township Clerk forward two copies of the required Certification to the Director of Local Government Services within three days.

PRIVILEGE OF THE FLOOR

Committee Member Gilbert spoke on behalf of her mom, a resident of Indian Plantation, who is not able to attend meetings. Committee Member Gilbert reported her mom's safety concerns regarding the number of serious accidents at the corner of Hart Boulevard and Reaville Road and requested that the Committee consider a traffic study for possibly a four-way stop or speed reduction.

Mayor Kuhl added that the curve near the Bowlby farm to Case Boulevard also presents safety hazards and suggested a speed reduction or signage at that portion of the road.

Discussion was held regarding previous traffic studies performed for speed hump installation and speed reduction and the cost of traffic lights. It was the consensus of Committee Members to direct Township Engineer, Tony Hajjar, to investigate the safety issues and provide a recommendation accordingly.

Eugene Lewandowski, a resident of Phipps Court, expressed concern about the potential redirection of traffic through Indian Plantation. Committee Member Gilbert clarified that the purpose of the study is to implement safety measures by way of a four-way stop or speed reduction.

Mayor Kuhl commented that he had diagnosed the problem with the air conditioning in the Court Room, that the part was ordered and that the unit should be working by Thursday.

At this time, Mayor Kuhl announced that the Committee will reconvene closed session to discuss matters of Pending Litigation regarding affordable housing, that the regular meeting will not reconvene and that no action will be taken.

Closed Session reconvened at 7:38 p.m.

CLOSED SESSION MINUTES #2 WILL BE DONE IN A SEPARATE DOCUMENT

ADJOURNMENT

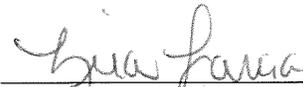
Mayor Kuhl asked for a motion to adjourn.

Motion by Reiner, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 7:49 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk