

*The Township Committee of the Township of Raritan met on May 3, 2016 at the Municipal Building, One Municipal Drive, Flemington, New Jersey*

**MEETING  
CALLED**

Mayor Gilbert called the regular meeting to order at 7:00 p.m.

**ROLL CALL**

The following were present: Mayor Karen Gilbert, Deputy Mayor Michael Mangin, Comm. Craig O'Brien, Comm. Richard Chen and Comm. Louis Reiner. Also present was Chief Financial Officer William Pandos and Attorney Jeffrey Lehrer.

**MEETING  
ADVERTISED**

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

*Attorney Lehrer read Resolution #16-116 in full.*

**Resolution #16-116 -CLOSED SESSION:**  
**Personnel – Police Chief**

Mayor Gilbert asked for a motion to adopt Resolution #16-116.

Motion was made by Comm. Mangin and seconded by Comm. O'Brien.

Roll Call Vote:           Chen – yes  
                                  Mangin – yes  
                                  O'Brien – yes  
                                  Reiner – yes  
                                  Gilbert – yes

Motion carried.

**CLOSED  
SESSION:**

*Closed Session Minutes are on a separate document.*

**OPEN  
SESSION**

*The Committee came out of Closed Session at 6:50 p.m. and recessed for twenty minutes. The public portion of the meeting began at 7:00 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.

No one appeared.

**FLEMINGTON FIELDS FIRE HYDRANTS AND PRIVATE ROADS** – Mayor Gilbert said that the residents of Flemington Fields have expressed their concerns over fire hydrants and private roads. Attorney Lehrer said that Flemington Fields' Attorney Bob Griffin wrote a letter to him dated March 24, 2016. The position in Mr. Griffin's letter was that the roadways were to be taken over by the Township. He identified other single family developments where streets were dedicated. Other developments included Sun Ridge and Flemington South. These development are located on either side of Flemington Fields. Attorney Lehrer said that he sent two letters to Mr. Griffin; one on March 29, 2016 and one on April 12, 2016. There has been no response. The legal position is that the filed map for Flemington Fields was recorded and all of the streets were identified as private roads. That is the way they were intended. Additionally, in September of 2013, a Municipal Services Agreement was entered into between the Flemington Fields Homeowner's Association and the Township of Raritan. The Municipal Services Agreement allowed the Township to reimburse the Association for certain items that the Association was entitled to under the law. Recently, the Municipal Services Agreement was modified to allow for the payment of fire hydrant rental charges for four fire hydrants. He said that the Association cannot ask the Township to take over the roads when they have always been recorded as private. The resolution from the Planning Board was very specific that the roads would be private. The preliminary and final site plan approval also identified the roads as private. Mr. Lehrer's recommendation to the Governing Body is that they should not change their position. Attorney Lehrer said that it was his legal position that the Planning Board resolutions call for the roads to be private as well as the filed maps. The Municipal Services Agreement also states the roads to be private. Mayor Gilbert indicated that there are other developments that have private roads and have entered into a Municipal Services Agreement.

\*\*\* Pat Sullivan, President of the Flemington Fields Homeowner's Association, said that she was familiar with the letter that was sent by the Homeowner's Association attorney to the Township. She said that what was left out of the summary was that there is a Developer's Agreement that stated that Flemington Fields will have dedicated roads. Any resolutions that are referred to were resolutions prior to the signed Developer's Agreement. She also said that she filled out an OPRA requesting communities with dedicated roads. When she cross referenced the dedicated road list with other communities, she noticed that most of the condominiums have private roadways. Communities with single family homes have dedicated roads. She said that it is impossible

for them to have a gated community because there is Hart Boulevard on one side and Indian Plantation and Reaville Road on the other side. She said that a Municipal Services Agreement was entered into because the development began construction in 2004 and the homeowners were not receiving any services. The only reimbursement that has been received from the Township was \$1,200.00 plus the cost for 10 lights. She felt that Flemington Fields was not being treated equally as any other communities that have dedicated roadways. She also mentioned that the community pays about \$850,000 in tax revenue. There have been no fire approvals and there should have been fire code violations. Flemington Fields sits on 17 acres with 86 single family homes with little open space. She would like the Township Committee to revisit this situation and to listen to the homeowners.

Ms. Sullivan said that since 2002 Flemington Fields Senior Community has been in a fire code violation for hydrants within 400 feet of each home. She was told that the hoses could reach the homes. There are no records in Hunterdon County for fire approvals for that development. The reason for the Municipal Services Agreement was so that they could move forward with safety for the residents. She said that there are no hydrants that are in the process of being installed. An application was filed with American Water and the homeowners have not received a reply. There are many mobility impaired residents that live in Flemington Fields as well as residents who cannot leave their homes. There is only one egress.

Attorney Lehrer responded to the Developer's Agreement by stating that it is a standard Developer's Agreement. This type of agreement is entered into by all communities with developers and it is done internally through the Engineering Department. It contains standard clauses. It was his opinion that the clauses are trumped by the Municipal Services Agreement, the filed map and the Planning Board resolutions. Paragraph 9 of the Planning Board resolution from 2000 reads as follows, "The majority of the roadways within the proposed development are to be privately owned. Only Reaville Avenue, Streets F and G on the west side of Reaville Avenue and the Hart Boulevard Extension will be dedicated to the Township. The remainder of the roadways and driveways will be privately owned and will be maintained by the Homeowner's Association." In 2002 when the Planning Board granted final approval, the findings of fact and conclusions which were made as part of the prior resolution, are incorporated herein by reference. After one year, the final plat for Raritan Valley Developers was filed and it specifically stated that Apgar Court, Higgins Court, Phipps Court and Shippen Court are private.

\*\*\* Ms. Sullivan said that Resolution 8-2008 and Resolution 8-2002 approved a commercial retail center with 37 parking spaces and a clubhouse with 12 parking spaces. The maps do not coincide with this. She said that the Township approved a land locked retail center on 1.2 acres of wetlands with no ingress or egress, no loading dock, no fire safety zone and with 12 spaces

for five retail stores. Those resolutions are not accurate. There was also a \$100,000 recreation plan for their community. The developer never left the acres for them to have the recreation plan. She felt that all the documents were messed up. The homeowners expected, based on the Developer's Agreement, dedicated streets and they expected to be treated fairly and equally like other residents in Raritan Township. She felt that this was exploitation of seniors and taking advantage of seniors. They feel that they are not receiving anything.

Attorney Lehrer said that he has laid out the facts that it appears that the Homeowner's Association is relying upon a standard form of Developer's Agreement and that all the other documentation that he identified is completely contrary to that standard boiler plate form of Developer's Agreement that was used by the Engineering Department years ago and not even reviewed by the Township Attorney. All the documents, when read together, strongly support the position that the roads are private and were intended to be private. Comm. Reiner said that he could not comment on the legal aspects, however, with regard to the installation of the hydrants, he indicated that if the Township was not in compliance with the fire code, he said that the Fire Marshal should go out to investigate.

\*\*\* Joanne Lowandowski, 3 Phipps Court, said she was very upset about how the residents are being treated. She felt that the residents are being treated differently than any other 55 and over community with single family homes. She also felt it was discrimination on the part of the Township. There is a fire hydrant located across the street from her property on Indian Plantation Road. She is fighting for her neighbors. She said that the Township was very lucky that there were no fires in that community. She felt that the Township was being negligent. She felt that the Fire Marshal should have been fined or fired in November of 2014 when the bill was signed by Mayor O'Brien. She felt that the hydrants should have been installed. She mentioned that Walnut Brook, 55 and over community, has public roads.

Comm. Mangin said he was sorry about the way Mr. Lowandowski felt, however, he has been a member of the Raritan Township Fire Department for 18 years including being a Fire Chief. He said that he and any of the men who served under him at that time and the men who serve with him now would lay down their life for anyone. Some of the things she said were negative against the Fire Department. He said that she seemed to have some anger towards the Fire Marshal. Perhaps the Mayor could look into that. The Fire Department tries to protect everyone. They carry over 5,000 feet of hose on the five trucks. Any truck can pull in with 1,000 feet of hose and criss cross the Flemington Fields Development.

\*\*\* Ms. Lowandowski retracted any statement she made that offended anyone in the Fire Department. She has siblings that are members of the Fire Department. She respects the Fire Department and the risks they take.

\*\*\* Mrs. Sullivan said that she holds all the volunteers of the Fire Department in very high esteem. However, they need to have the tools to help fight fires. Firefighters should not have to show up to a fire and not have access to water. She felt that the Township has not done anything to protect the people.

Mayor Gilbert said that the concerns have been well expressed. The responsibility lies with the Homeowner's Association, the developer and their attorney. She spoke with the Township Engineer who said that he cannot force the developer to install the fire hydrants. The information that the Township received showed that it is not something that the Township can do for the residents. The Township can try to assist the residents in terms of the fire hydrants. The agreement was that the Township will pay for the hydrants each year. The developer was to install the hydrants. Attorney Lehrer said that the Township did not have any legal obligation to pay for the hydrants. The Township came up with a creative solution to amend the Municipal Services Agreement to pay the sewer rents on an annual basis for those four hydrants. The four fire hydrants were to be installed by the developer. The resolution that was adopted by the Township Committee was to be forwarded to the utility company to show that the billing would go directly from the utility company to the Township to pay the water rent. That was done. Someone from Flemington Fields came before the Committee and specifically said that the obligation to install the fire hydrants rests with the developer. Mayor Gilbert said the Township could help them figure the issue with the hydrants. The residents have come before the Committee and said that it is not doing its job and that the Township is not fulfilling its obligations and not protecting the residents. She felt that this was very unfair.

\*\*\* A resident from Flemington Fields, said that the Township had an attitude against the residents. She said that she is a senior citizens and worked all their lives and elect the Township Committee and expect protection. She felt that the Committee is not helping the residents.

Mayor Gilbert said that she was personally offended by the fact that the residents are saying that the Township is discriminating against Flemington Fields because they are senior citizens. The Municipal Services Agreement has nothing to do with the fact that the residents are senior citizens. She is over 55 and could live there as well. This is not discrimination against any particular group. It just happens to be that they live in a community where this agreement was entered into and not because of who they are.

\*\*\* Bob Traino, 19 Phipps Court, Flemington Fields, Treasurer of the Homeowner's Association, said that there are two fire hydrants on the private roadways. He wanted to know if the Township did this, did the developer do it. Did the Township sign off on the fire hydrants. He wants the Township to do the same thing with these hydrants. He said that the last time he was in front of the Committee, Comm. Mangin said that it was critical that they have water. There are many homes that do not have rear exits. The residents do not know anything about firefighting, they don't know anything about connecting to water. The residents are looking for help from the Township. This has been going on for ten years. There was a resolution that stated that there would be putting greens, however, nothing was ever done.

Mayor Gilbert said that she appreciated the comments. The attorneys will speak to one another. She said that she will speak with the Fire Marshal and also speak to the Township Engineer to see if they can offer any advice. She could not give any timeframe but maybe within the next few meetings.

**FINANCIAL  
ISSUES**

Payment of Bills as Listed for Raritan Township:    **\$ 10,466,394.85**

Comm. O'Brien asked about the bill for gasoline, a bill for diesel and a bill for fuel. He wanted to know what the difference was. Don Hutchins, Public Works Superintendent, said that it is all diesel.

Mayor Gilbert asked for a motion to approve the Bill List.

Motion was made by Comm. O'Brien and seconded by Comm. Chen.

Roll Call Vote:            Chen – yes  
                                  Mangin – yes  
                                  O'Brien – yes  
                                  Reiner – yes  
                                  Gilbert – yes

Motion carried.

Payment of Bills as Listed for the RT Fire Company:    **\$ 2,341.02**

Mayor Gilbert asked for a motion to approve the Bill List for the RT Fire Company.

Motion was made by Comm. Reiner and seconded by Comm. O'Brien.

Roll Call Vote:       Chen – yes  
                          Mangin – recuse  
                          O’Brien – yes  
                          Reiner – yes  
                          Gilbert – yes

Motion carried.

**REPORTS**

**LIAISON REPORTS**

Karen Gilbert – Administration, Personnel, Planning Board (Class I – Mayor) – Mayor Gilbert said that there will be a Food Truck Festival at JP Case Middle School on May 13, 2016 for the school’s Tenth Anniversary. She will meet with the Hunterdon County Coalition for Economic Sustainability and Survival along with Deputy Mayor Mangin. She and Comm. Mangin will meet with Jack Cust and Steve Kalifer who have formed a coalition of the key business leaders. The meeting will be on Thursday. She will inform the Committee. She asked the Committee to check their emails frequently and reply to her emails.

**REPORTS  
(Con’t)**

Michael Mangin – Planning Board (Class II – Governing Body), Police, Finance & Business – No report.

Louis Reiner – Public Works, Fire/Rescue/OEM, Local Historians – No report.

Craig O’Brien - Board of Health, Green Team, Environmental Commission  
No report.

Richard Chen – Open Space, Parks & Recreation, RTMUA – No report.

**UNFINISHED  
BUSINESS**

**FARMLAND PRESERVATION PLAN** – Mayor Gilbert said that this plan must be in place in order to receive State funds. The Township asked for a \$12,000 grant from the County to help fund the plan. Planner Sunyak said that the last Farmland Preservation Plan was done in 2007-2008 which was submitted in draft form to the State. Since then, there have been a number of changes that have taken place and the proposals are to update the Farmland Preservation Plan. She read through each of the proposals received which included Banish, Land Conservancy, Maser and one from Ruhle. All are qualified. The cost for the plan ranges between \$7,500 and \$14,650. A number of the proposals provide for meetings with the Planning Board. The plan will be adopted as part of the Township’s Master Plan. She felt that all the professionals who sent in proposals are qualified. It depends on what the Committee would like to spend. Banish was the least bid at \$7,500 and Maser was the highest bidder at \$14,650. She said that this cannot be delayed any longer.

Comm. Reiner said that he felt it was pertinent to take into account the comments from Ms. Sunyak. Even though Banish was the least expensive at \$7,500, he would not recommend him. He cannot trust him.

Planner Sunyak said that this plan is to look at trends and demographics of how the agricultural activity of the town and throughout the region has changed over time. Comm. O'Brien said Maser is an engineer for several towns and has done many of these plans. He would like the Committee to ask Maser to reduce the price to \$12,000. He felt that Maser would be the best. Maser has experience Statewide and very well regarded. Comm. Chen agreed with Comm. O'Brien. Comm. Mangin said that going back to Maser and ask him to reduce his price defeats the bid process. He felt that the Committee should choose a local person and felt that Banish could do the job. Mr. Banish is currently working on a restaurant that is coming in on Route 31. Mayor Gilbert agreed that this would defeat the bid process. She would be uncomfortable with asking Maser to lower his bid. Comm. O'Brien suggested that the resolution be tabled until the next meeting at which time Adm. Giaimis will ask Maser if they would lower their rate to \$12,000. The Committee agreed.

**ORDINANCES:**

**ORDINANCE #16-04**

AN ORDINANCE AMENDING TITLE 10 ENTITLED "VEHICLES AND TRAFFIC" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY ADDING NEW CHAPTER 10.20 ENTITLED "TRAFFIC CONTROL STANDARDS; REQUIREMENTS FOR CONSTRUCTION AND MAINTENANCE."

*Meeting opened to the public. No one appeared.*

Mayor Gilbert asks for a motion to close the public hearing and adopt Ordinance #16-04 on final consideration, same to be published according to law.

Motion was made by Comm. Mangin and seconded by Comm. Reiner.

Roll Call Vote:      Chen – yes  
                             Mangin – yes  
                             O'Brien – yes  
                             Reiner – yes  
                             Gilbert – yes

Motion carried.

**ORDINANCE #16-06**

AN ORDINANCE AMENDING CHAPTER 2.56 ENTITLED "POLICE DEPARTMENT" OF TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN

Meeting opened to the public.

Mayor Gilbert asks for a motion to close the public hearing and adopt Ordinance #16-06 on final consideration, same to be published according to law.

Motion was made by Comm. Mangin and seconded by Comm. Reiner.

Roll Call Vote:       Chen – yes  
                              Mangin – yes  
                              O'Brien – yes  
                              Reiner – yes  
                              Gilbert – yes

Motion carried.

**FLEMINGTON FIELDS FIRE HYDRANTS AND PRIVATE ROADS** –*This matter was discussed earlier in the meeting.*

**MINE BROOK PARK TRAIL GRANT** – Mayor Gilbert informed the Committee that the Township reapplied for this grant. This grant will connect Mine Brook Park trail to the Dvoor Farm. Last year the grant was denied.

**HUNTERDON COUNTY COMMUNITY DAY – TOWNSHIP PARTICIPATION** – The event will take place on June 4, 2016 from 12:00 noon to 6:00 p.m. She felt that there should be some Township participation at this event such as the Open Space Committee or the Environmental Commission.

**ELECTRONICS RECYCLING UPDATE** – Don Hutchins, Superintendent of Public Works said that there is no line item in the budget for recycling. The income that is generated comes from recycling and tonnage grants from the State and permit sales. This income should cover the cost of electronic recycling. Currently \$4,792 has been expended including one half of December which is about \$1,000 per month. There should be no tax dollars to fund this program. He anticipates that the tonnage grant will be about \$20,000 higher this year. Attorney Lehrer said that Warren Township is adopting a resolution that will support legislation for electronics. He can provide that resolution to the Township Committee.

**PLANNING AND ZONING DEPARTMENT UPDATE** – Planner Jamie Sunyak

said that her office is responsible to oversee the Planning Board and Board of Adjustment. The Planning Board meets the second and fourth Wednesday of each month. The current Board activities include Ingerman which is 100% Affordable Housing, Costco and Chimney Rock Inn. Chimney Rock Inn is split between Flemington Borough and Raritan Township. An extension of time was given to Mr. Kuhl for an expansion. The Planning Board is also considering Macedo Manufacturing on Minneakoing Road along with the car dealerships. The Technical Review Committee met with several applicants who are interested in developing along the Route 202 corridor. The Board of Adjustment meets on the first and third Thursday of each month. The Zoning Board submitted a 2015 annual report which provided a summary of the Board's cases and recommendations. There was a zoning interpretation for the Simpson property located on Route 202. The Board is always receiving applications for wireless telecommunication upgrades and the Luster property which is on Old Croton Road. BJ's Warehouse received an accessory use for an outdoor storage. The Boards have been very busy. In addition, her office reviews and approves all types of sign permits, zoning permits. The office processes 70 permits per month. The Zoning Office has been implementing the vacant and abandoned foreclosed property ordinances. Twenty-eight homes have complied with the property registration. The Police and Fire Department are informed of the vacant and abandoned foreclosed properties. Her secretary Linda has submitted her resignation. Ms. Sunyak will take over the duties until a new secretary is hired.

**NEW  
BUSINESS**

**RELEASE FROM AGREEMENT – 2015-2016 MAINTENANCE AND REPAIR MATERIALS RE: HALE BUILT** – Don Hutchins, Superintendent of Public Works, said that Hale Built is unable to fulfill the agreement. This was a bid process for Maintenance and Repair materials for 2015-2016.

**WAIVING RECYCLING FEES FOR DISABLED VETERANS** – Don Hutchins, Superintendent of Public Works, said that a disabled veteran asked if the recycling permits can be exempt. Comm. Reiner proposed that the ordinance be amended to include disabled veterans to be exempt from the recycling permits. Comm. O'Brien said that there are many issues. He said that the Township should speak to the various veterans groups such as the American Legion and VFW and involve the veterans. There are about 10 disabled veterans in Hunterdon County. Comm. O'Brien said he will research this and report to the Committee.

**RECONSTRUCTION OF EVERITTS ROAD, SECTION II, PHASE 3 RE: PARTIAL PAYMENT #1 AND CHANGE ORDER #1** – The contract was reduced \$39,000. The money must be placed in the capital fund for other projects. Comm. O'Brien said that these projects are often over estimated. He wanted to make sure that this is not done just to find money because of over estimation.

**ORDINANCES:** *Ordinances #16-04 and Ordinance #16-06 were adopted on final vote earlier in the meeting.*

**ORDINANCE #16-08**

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DETENTION BASIN, DRAINAGE & ACCESS EASEMENT, A PATHWAY ACCESS EASEMENT AND A CONSERVATION EASEMENT IN BLOCK 16.01, LOTS 37.01 AND 54 TO BE CONSOLIDATED INTO BLOCK 16.01, LOT 54.01 IN THE TOWNSHIP OF RARITAN

*Attorney Lehrer said that this ordinance is part of the Ingerman Group, Flemington Junction. This ordinance accepts three easements as part of this project. He reviewed the easements and they are acceptable. The closing will be held within the next few weeks.*

Mayor Gilbert asked for a motion to introduce Ordinance #16-08 on first consideration, same to be published according to law with a public hearing and final vote scheduled for the meeting of June 8, 2016 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.

Motion was made by Comm. Mangin and seconded by Comm. O'Brien.

Roll Call Vote:           Chen – yes  
                                  Mangin – yes  
                                  O'Brien – yes  
                                  Reiner – yes  
                                  Gilbert – yes

Motion carried.

**CORRES-  
PONDENCE**

- a.     League of Municipalities: (All Information is on File in the Clerk's Office):  
       \$100,000 Smart City Technologies Grant Announced; Webinar/Seminar Round Up; NJLM and NJAPZA – NJ Permit Extension Act and FCC “Shot Clock” Rules; Weekly Update;
- b.     Boating Safety Course – Saturday, May 21, 2016 at the Raritan Township Municipal Building
- c.     Hunterdon County Safe Routes to School
- d.     NJ Transit Public Meeting Notice – May 25, 2016

**CORRES-** e.     NJ DOT re: Municipal Aid Grant for Dory Dilts Road, Section II – No **PONDENCE**  
Funding Available – *Mayor Gilbert said that there is no funding available for*

*this project.*

**NON CONSENT AGENDA**

Raritan Township Fire Company Membership re: Robert Hoyvald

Mayor Gilbert asks for a motion to approve the Membership in the Fire Company for Robert Hoyvald.

Motion was made by Comm. Reiner and seconded by Comm. O'Brien.

Roll Call Vote:       Chen – yes  
                              Mangin – recuse  
                              O'Brien – yes  
                              Reiner – yes  
                              Gilbert – yes

Motion carried.

**Resolution #16-119 – Authorizing a \$1 Million Loan to Flemington Junction, LLC from the Affordable Housing Trust Fund**

*Attorney Lehrer said that this authorizes a \$1 million loan to Flemington Junction, LLC as per an Affordable Housing Agreement. The Township will fund this loan from the Affordable Housing Trust Fund. This is done so as to insure affordability controls on the development for the next 30 years. This is a resolution authorizing the signing of any and all documents. The resolution also authorizes the signing of a uniform housing affordability control declaration that needs to be recorded against the land to protect the units that, if foreclosed upon, will still maintain the affordability controls. The interest will be 0.5%.*

Mayor Gilbert asks for a motion to adopt Resolution #16-119.

Motion was made by Comm. Mangin and seconded by Comm. O'Brien.

Roll Call Vote:       Chen – yes  
                              Mangin – yes  
                              O'Brien – yes  
                              Reiner – abstain  
                              Gilbert – yes

Motion carried.

**CONSENT**

All matters listed on the Consent Agenda are considered to be routine by the

**AGENDA** 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.

**Minutes:**

Township Committee Meeting Minutes: April 5, 2016  
Executive Session Minutes: April 5, 2016  
April 19, 2016

**Resolutions:**

**Resolution #16-108 – Release from Agreement for 2015-2016  
Maintenance and Repair Materials re:  
Hale Built**

**Resolution #16-109 – Return of construction Code Permit Fee to St.  
Anna Greek Orthodox Church**

**Resolution #16-110 – Return of Construction Code Permit Fee to  
CRJ**

**Resolution #16-111 – Return of Cash Performance Guarantee to  
Daniva Associates - \$1,000.00**

**Resolution #16-112 – Professional Services Contract for Hearing Officer  
for PBA Grievance**

**Resolution #16-113 – Authorizing Competitive Contracting for  
Procurement of the Purchasing of Proprietary  
Software Related to Credit Card Processing**

**Resolution #16-114 – Authorizing Partial Payment and Change Order #1  
to Top Line Construction for the Reconstruction of  
Everitts Road, Section II, Phase 3**

**Resolution #16-115 – Professional Services Contract for the Update of  
the Farmland Preservation Program**

**Resolution #16-118 – Supporting A-1834 for Angioplasty Procedure at  
the Hunterdon Medical Center**

Mayor Gilbert asked for a motion to adopt the Consent Agenda with the removal of Items “e”, “f” and “h”.

Motion was made by Comm. Chen and seconded by Comm. Mangin.

Roll Call Vote:       Chen – yes  
                              Mangin – yes  
                              O’Brien – yes  
                              Reiner – yes  
                              Gilbert – yes

Motion carried.

Resolution #16-112 – Professional Services Contract for Hearing Officer for PBA Grievance – Comm. Reiner said that the Administrator is the presiding officer for any grievances. He felt it would be prudent of the Committee to take that authority away from the administrator. The case comes before the Township Committee if the appeal decision is not satisfactory. The Committee should not give up its authority. Mr. Reiner said that, in the future, the administrator should act as the presiding officer. Mr. Reiner was informed by Administrator Giaimis that he did not know enough about the case to preside over it. Attorney Lehrer said he was not familiar with this and he would have to speak with the Labor Attorney and Administrator Jerry Giaimis about this matter. Mayor Gilbert said that this is only for this grievance and the contract is not to exceed \$3,000.00.

Mayor Gilbert asked for a motion to adopt Resolution #16-112.

Motion was made by Comm. Reiner and seconded by Comm. O’Brien.

Roll Call Vote:       Chen – yes  
                              Mangin – yes  
                              O’Brien – yes  
                              Reiner – yes  
                              Gilbert – yes

Motion carried.

Resolution #16-113 – Authorizing Competitive Contracting for the Procurement of the Purchasing of Proprietary Software Related to Credit Card Processing

*Comm. Reiner wanted to know what this entailed. Attorney Lehrer said that use of competitive contracting must be authorized by the Governing Body.*

Mayor Gilbert asked for a motion to adopt Resolution #16-113.

Motion was made by Comm. Reiner and seconded by Comm. Mangin.

Roll Call Vote:       Chen – yes  
                          Mangin – yes  
                          O’Brien – yes  
                          Reiner – yes  
                          Gilbert – yes

Motion carried.

Resolution #16-115 – Professional Services Contract for the Update of the Farmland Preservation Program – *This resolution was tabled.*

**PRIVILEGE  
OF THE  
FLOOR**

\*\*\* Barbara Sachau, 2 Glenway Drive, asked about the \$1 million loan for thirty years. She wanted to know if COAH will end at the 30 year mark.

Attorney Lehrer said that technically at the end of thirty years, the affordable housing will end. They can then market the units to non affordable control tenants.

\*\*\* Mrs. Sachau asked about the consultant that will be hired to do the Farmland Preservation Plan. She felt that the public needs to have some input on some of the plans that affect everyone. She attended a meeting about open space for the parks. The people in attendance commented that it was the first time the Parks Department had asked for comments on any plans. She felt that the public should be able to comment on these plans as well.

Attorney Lehrer said that this has to be part of the Master Plan. Planner Sunyak said there was a public hearing process included. In fact, there were several public hearings and advertising in the newspapers.

\*\*\* Mrs. Sachau said she would like the public to be involved in the process before the public hearing is held.

**Resolution #16-117 - CLOSED SESSION:**  
**Personnel – Police Chief**

*This resolution was not adopted.*

*Mayor Gilbert asked the Committee if they could meet for the Introduction of the*

*2016 Budget on Tuesday, May 10, 2016 at 8:00 a.m. The Committee will attend.  
The Clerk will email the Committee for their confirmation.*

**ADJOURN-  
MENT**

Mayor Gilbert asked for a motion to adjourn the meeting

Motion was made by Comm. O'Brien and seconded by Comm. Reiner.

Vote: 5 – 0 motion carried.

Meeting adjourned at: 9:10 p.m.

Respectfully submitted,

Rose Sollena, RMC/CMC  
Township Clerk