

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
MONDAY, NOVEMBER 6, 2017**

MEETING CALLED: Mayor Gilbert called the regular meeting to order at 6:30 p.m.

ROLL CALL: The following were present: Mayor, Karen Gilbert; Comm. Richard Chen; Comm. Craig O'Brien; Comm. Michael Mangin; Comm. Lou Reiner. Also present were Township Attorney, Jeff Lehrer; Attorney, Ed Purcell; Administrator, Don Hutchins; Police Chief, Glenn Tabasko; and Chief Financial Officer, William Pandos.

MEETING ADVERTISED: Mayor Gilbert advised that the meeting was advertised in accordance with the Open Public Meetings Act in the January 11, 2017 issue of the Hunterdon County Democrat and was posted on the office bulletin board and the Township Website.

Township Attorney Lehrer read Resolution #17-276 in full.

Mayor Gilbert asked for a motion to approve Closed Session Resolution.
Motion by Mangin, seconded by Chen.

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-276

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 side letter proposal
 - b) Personnel: Judge appointment; Assessing Clerk
 - c) Attorney-Client Privilege: Hunting licensee violation of agreement
 - d) Pending Litigation: Sempervive
 - e) Land Donation: Estate of Frances Frey

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.

3. The Committee will return to Regular Session and may take further action.
4. This Resolution shall take effect immediately.

The regular meeting reconvened at 7:08 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.

AMEND/APPROVE THE AGENDA

Mayor Gilbert asked for any amendments to the Agenda.

There were no amendments to the Agenda.

Mayor Gilbert asked for a motion to approve the Agenda.

Motion by Reiner; seconded by Chen to approve the Agenda.

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

PRESENTATION – RARITAN TOWNSHIP PURPLE HEART PROCLAMATION

Mayor Gilbert recapped that several months ago, the Township Committee adopted a resolution proclaiming Raritan Township as a Purple Heart Community. She continued that the proclamation supports and recognizes the generations of courageous Americans awarded the Purple Heart Medal in honor of their sacrifices for the freedoms of today. Mayor Gilbert, along with Township Committee Members, invited members of the Military Order of the Purple Heart to the dais and presented a plaque honoring and recognizing Raritan Township Purple Heart recipients for their sacrifices and service to our country.

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, a resident of 2 Glenview Drive, expressed dissatisfaction to the resolution on tonight's agenda expressing opposition to proposed legislation amending the Open Public Meetings Act and Open Public Records Act; and spoke about shooting accidents throughout the state including the recent hunting incident where a dog was killed in Readington Township; as well as the dangers imposed by such.

FINANCIAL ISSUES

Payment of Bills as Listed for **Raritan Township: \$5,913,800.84**

Motion by Mangin, seconded by Reiner to approve the bill list for Raritan Township.

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

Payment of Bills as Listed for **Raritan Township Fire Company: \$763.30**

Motion by Reiner, seconded by Chen to approve the bill list for Raritan Township.

ROLL CALL VOTE:

AYES: Chen, O'Brien, Reiner, Mayor Gilbert

NOES: None

RECUSE: Mangin

ABSTAIN: None

ABSENT: None

REPORTS

The following October, 2017 staff report was acknowledged by the Township Committee:

*Department of Fire Safety

LIAISON REPORTS

- Richard Chen: Finance, Open Space, Parks & Recreation
Committee Member Chen reported that the construction of the parking lots and installation of kiosks on the Township's open space property was completed. He explained that the parking lot locations are identified by a bar code as they have no physical street address. Committee Member Chen commended the staff of the Public Work's Department for their efforts with this project.
- Michael Mangin Planning Board (Class II, RTMUA)
Deputy Mayor Mangin announced the upcoming meeting date for the Planning Board and reported on a meeting of the Raritan Township Municipal Utilities Authority (RTMUA) advising that the Flemington Subaru was approved for equivalent dwelling units (EDUs) for sanitary use and that refinancing of bonds is pending.
- Craig O'Brien: Open Space
Committee Member O'Brien reported on a recent speaking opportunity he participated in at Hunterdon Central High School and advised of complaints regarding hunting on the Urbach property.
- Louis Reiner: Environmental Commission, Green Team, Fire/Rescue/OEM
No report.
- Karen Gilbert: Historians, Finance, Planning Board (Class I)
No report.

UNFINISHED BUSINESS

There was no unfinished business on the meeting agenda.

NEW BUSINESS

a. Statue Donation to Police Department - Police Chief, Glenn Tabasko, advised Committee Members that a Township resident and business owner would like to donate a statue of a police officer saluting and holding a flag to the Township. Chief Tabasko proposed locating the statue at the entrance to the Police station with a future plaque as a dedication to past, present and future officers of the Raritan Township Police Department. Mr. Lehrer advised that the acceptance of the donation is required by resolution. It was the consensus of the Committee to proceed by resolution at a future regular meeting.

b. Request by Kermess Sport LLC to hold a bicycle ride February 25, 2018 through a portion of the Township - Mayor Gilbert explained that Kermess Sport is requesting to host a recreational bicycle ride, The Sourland Semi-Classic, on Sunday, February 25, 2018 through a portion of the Township. Chief Tabasko advised of no objections.

A brief discussion was held regarding insurance coverage. Mr. Hutchins advised that the organization must provide a certificate of liability insurance naming the Township as certificate holder. Mr. Lehrer concurred. It was the consensus of the Committee to approve the request by Kermess Sport LLC to hold a bicycle ride, February 25, 2018 through a portion of the Township.

c. NJDOT offer to Raritan Township for the acquisition of specific state-owned property – Mayor Gilbert explained that the NJDOT has reached out to see if the Township has any interest in acquiring a Parcel VX49Bs which was acquired by the Department for the Route 202 & 69, Section 2 project also known as Lot 1.02 Block 65 for public use. Mr. Hutchins continued that this is the sliver of property adjacent to the jug handle at the Shop Rite/Commerce Street intersection. Mayor Gilbert advised that Township Engineer, Tony Hajjar, has reviewed the offer and advised that the parcel is of no value to the Township. It was the consensus of the Committee to authorize Clerk Fania to notify the NJDOT that the Township has no interest in acquiring the parcel.

d. Hunterdon County Department of Human Services Survey concerning a proposal for Hunterdon County Educational Services Commission to process expenditures for all five (5) municipal alliance consortiums.

Mayor Gilbert explained that the Hunterdon County Department of Human Services is requesting approval from the Governor's Council on Alcoholism and Drug Abuse to have the Hunterdon County Educational Services Commission pay expenditures for all five (5) Hunterdon County municipal alliance consortiums. She further explained that past practice involved rotating the responsibility among the municipalities. It was the consensus of the Committee to support the Hunterdon County Educational Services Commission processing expenditures for all five municipal alliance consortiums.

ORDINANCES (FINAL ADOPTION, PUBLIC HEARING)

Mayor Gilbert read by title Ordinance #17-30.

ORDINANCE REAPPROPRIATING \$6,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE MAJOR REPAIR OF THE 911 CLOCK AT THE MUNICIPAL BUILDING IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Gilbert asked for a motion to open public hearing.

Motion by Reiner, seconded by Chen

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-30 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised October 6, 2017, The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #17-30

ORDINANCE REAPPROPRIATING \$6,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE MAJOR REPAIR OF THE 911 CLOCK AT THE MUNICIPAL BUILDING 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 \$6,000.00 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
#16-10 (Section 3(g))	Improvement of municipal building by the acquisition and installation of interdepartmental computer software, computer hardware, jail cell toilet and phone system, finally adopted 7/19/2016	\$6,000.00

Section 2. \$6,000.00 described in Section 1 hereof and made available pursuant to N.J.S.A. 40A:2-39, is hereby reappropriated to provide for the major repair of the 911 clock at the municipal building.

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. Any action taken prior to the effective date of this ordinance for the purpose set forth herein is hereby ratified and deemed taken pursuant to this ordinance.

Section 5. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Gilbert read by title Ordinance #17-32.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$791,700.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$753,193.10 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Gilbert asked for a motion to open public hearing

Motion by Chen, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-32 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert

NOES: O'Brien

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised October 6, 2017, The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #17-32

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$791,700.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$753,193.10 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Township of Raritan, in the County of Hunterdon, New Jersey (the "Township") as general improvements. For the several improvements or purposes described

in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$791,700.00, and further including the aggregate sum of \$38,506.90 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$753,193.10 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation & Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds & Notes</u>	<u>Period of Usefulness</u>
a) Road reconstruction in the area of Barton Estate: Rake Road and Hardscrabble Road	\$357,000	\$340,000	20 years
b) Acquisition of equipment for Public Works Department consisting of a sander, mower, slab saw mortar mixer, roller and multi-use mower/snow machine	\$189,700	\$180,660	15 years
c) Acquisition of a pick-up truck	\$30,000	\$27,773.10	5 years
d) Acquisition and installation of a pole building	\$80,000	\$76,190	20 years
e) Hampton Corner Road Project Flood Study	\$135,000	\$128,570	15 years
TOTALS:	<u>\$791,700</u>	<u>\$753,193.10</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or

all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. 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 bond 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 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 17.38 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$753,193.10, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$158,340 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purposes or improvements.

Section 7. The Township hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The Township hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the notes. The Chief Financial Officer is hereby authorized to act on behalf of the Township to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The Township hereby declares the intent of the Township to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purposes or improvements described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor Gilbert read by title Ordinance #17-34.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF A PERCENTAGE OF THAT PROPERTY KNOWN AS BLOCK 20, LOT 12, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN, FROM MARK HOLLENBACK AND ELLEN HOLLENBACK, AND APPROPRIATING THE NECESSARY FUNDS

Mayor Gilbert asked for a motion to open public hearing.

Motion by Chen, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

Marie Newell, a resident of 21 Meadow Lane, Lebanon and representative from the New Jersey Conservation Foundation, explained the determination of certified market value including the appraisal process.

Deputy Mayor Mangin inquired as to the funding of survey costs. Ms. Newell advised that New Jersey Water Supply Authority and the Conservation Foundation are each funding fifty (50) percent.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-34 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Mayor Gilbert

NOES: Reiner

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised October 10, 2017, The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #17-34

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF A PERCENTAGE OF THAT PROPERTY KNOWN AS BLOCK 20, LOT 12, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN, FROM MARK HOLLENBACK AND ELLEN HOLLENBACK, AND APPROPRIATING THE NECESSARY FUNDS

WHEREAS, the Township of Raritan was offered the opportunity to acquire forty-eight (48%) percent of that property known as Block 20, Lot 12 ("Property") on the Tax Map of the Township of Raritan, for recreation and open space by partial assignment from the New Jersey Conservation Foundation ("NJCF"); and

WHEREAS, the NJCF would retain a fifty-two (52%) percent interest in the Property; and

WHEREAS, the Property offered to the Township consists of a gross area of approximately 18± acres to be subject to a Deed of Conservation Restriction limiting the use of the Property to recreation and open space purposes; and

WHEREAS, the contract purchaser, NJCF, entered into an Option Agreement for Purchase of the Property with Mark Hollenback and Ellen Hollenback, and agreed to assign a fifty-two (52%) percent interest in the Property to the Township for a contribution of a Green Acres Program grant and Hunterdon County Open Space Trust Fund grant totaling \$93,258.00; and

WHEREAS, once the Property is restricted for open space and recreation use at closing of title, the Township no longer needs to hold an interest in the Property and may convey its interest to NJCF; and

WHEREAS, NJCF assembled various funding sources for the purchase price of the Property as follows:

Source of Funds

New Jersey Conservation Foundation

Department of Environmental Protection, Green Acres Program

Township of Raritan

County of Hunterdon Open Space Trust Fund

; and

WHEREAS, the NJCF and Township will acquire title to the Property in proportion to the amount of their contribution; and

WHEREAS, however, through a conveyance by the Township of its percentage interest in the Property at closing to NJCF, NJCF will own 100% of the Property; and

WHEREAS, the acquisition of the Property is contingent upon the funding sources contributing the full purchase price for the property; and

WHEREAS, the Township's portion of the funding is from the following sources:

<u>Party</u>	<u>Source of Funds</u>	<u>Amount</u>
Township	Township Green Acres Grant	\$41,448.00
Township	Township Hunterdon County	
Open Space Trust Fund		<u>\$51,810.00</u>
Total		\$93,258.00

; and

WHEREAS, the Township desires to acquire title to the Property in the approximate percentage described above and then immediately convey its interest to the NJCF; and

WHEREAS, the Township desires to appropriate \$41,448.00 from a Green Acres Program grant and \$51,810.00 from the Township Hunterdon County Open Space Trust Fund for a total of \$93,258.00 for the purposes described in this Ordinance.

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

1. The Township of Raritan hereby approves and authorizes the Township Mayor, Administrator, Clerk and Attorney to execute any and all documents necessary to consummate the acquisition of the Property, including but not limited to:

- a) Assignment of Interest in Unimproved Real Property;
- b) Deed to New Jersey Conservation Foundation;
- c) Declaration of Conservation Restrictions;
- d) Closing Statement;
- e) Reimbursement vouchers or other similar payment request; and
- f) Such other documents as are necessary to consummate this transaction.

2. Appropriate up to \$41,448.00 from a Green Acres Program grant and up to \$51,810.00 from the Township Hunterdon County Open Space Trust Fund allocated to the Township for a total of \$93,258.00 for its share to acquire the Property.

3. The documents described in Paragraph 1 above shall provide the following:
a) Title shall be by Bargain and Sale Deed with Covenants against Grantor’s Acts, with the New Jersey Conservation Foundation and Township owning the Property in the approximate percentages stated above as tenants in common, subject to the Declaration of Conservation Restrictions.

b) The Township conveying its interest in the Property to the New Jersey Conservation Foundation, subject to the Declaration of Conservation Restrictions.

c) The closing shall be contingent upon the funding as described above.

d) Title shall be subject to a restrictive covenant limiting the use of the Property to recreation and open space purposes.

4. This Ordinance shall take effect in accordance with law.



Mayor Gilbert read by title Ordinance #17-35.

ORDINANCE REAPPROPRIATING \$32,200.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF NEW FENCE AND FENCE REPAIRS, AN 8 FOOT SNOW PLOW ATTACHMENT AND THREE OVERHEAD GARAGE DOORS AT THE DPW FACILITY IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Gilbert asked for a motion to open public hearing.

Motion by Chen, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-35 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised October 6, 2017, The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #17-35

ORDINANCE REAPPROPRIATING \$32,200.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION AND INSTALLATION OF NEW FENCE AND FENCE REPAIR FOR LENAPE PARK, AN 8 FOOT SNOW PLOW ATTACHMENT AND THE REPLACEMENT OF THREE OVERHEAD GARAGE DOORS FOR THE DPW FACILITY 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 \$32,200.00 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
#16-10	Road Reconstruction for Phase II of Dory Dilts Road Project, Wellington Avenue and roads adjacent thereto or in the area thereof finally adopted 07/19/2016	\$32,200.00

Section 2. \$32,200.00 described in Section 1 hereof and made available pursuant to N.J.S.A. 40A:2-39, is hereby reappropriated to provide \$10,100 for the installation and acquisition of new fence and fencing repair for Lenape Park, \$5,100 for the acquisition of an 8 Ft Snow Plow attachment and \$17,000 for the replacement of three overhead garage doors at the DPW facility.

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 Gilbert read by title Ordinance #17-37

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN TO REVISE PROVISIONS RELATED TO ENVIRONMENTAL COMMISSION APPOINTMENTS

Mayor Gilbert asked for a motion to open public hearing.

Motion by Chen, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-37 on final consideration, same to be published according to law.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised October 20, 2017, The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #17-37

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN TO REVISE PROVISIONS RELATED TO ENVIRONMENTAL COMMISSION APPOINTMENTS

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

WHEREAS, under the Township form of government, the mayor is granted "all those powers placed on the mayor by general law" pursuant to N.J.S.A. 40A:63-5; and

WHEREAS, N.J.S.A. 40:56A-1 is a general law that provides that appointments to the Environmental Commission shall be "appointed by the mayor of the municipality;" and

WHEREAS, Section 2.80.020 of the Revised General Ordinances of the Township of Raritan, as currently constituted, conflicts with N.J.S.A. 40A:62-5 by requiring that appointments to the Environmental Commission be "confirmed by resolution of the Township Committee;" and

WHEREAS, Section 2.80.020 of the Revised General Ordinances of the Township of Raritan, as currently constituted, is both confusing to administer and *ultra vires*."

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

Section 1: Section 2.80.020 entitled "Composition" of Title 2 entitled "Administration and Personnel" of *The Revised General Ordinances of the Township of Raritan* is hereby amended to read as follows:

2.80.020 Composition.

The Commission shall consist of not less than five nor more than seven members and two alternate members appointed by the Mayor [and confirmed by the resolution of the Township Committee]. At least one member shall be a member of the Planning Board and all shall be residents of the Township. The Mayor shall designate one of the members to serve as chair. Their terms of office, removal or vacancy shall be governed by R.S. 40:56A-1. (Prior code § 2-19.2; Ord. 03-8)

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

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

ORDINANCES (INTRODUCTION, FIRST READING)

Mayor Gilbert read by title Ordinance #17-38.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING ORDINANCE #05-38 IN ORDER TO AMEND THE DEED RESTRICTION TO AUTHORIZE CERTAIN FIRE COMPANY EVENTS BY RESOLUTION RATHER THAN BY ORDINANCE

Mayor Gilbert explained that the proposed ordinance authorizes the amendment of a deed restriction regarding the Raritan Avenue property which will permit certain fire company events by resolution rather than ordinance.

Mayor Gilbert asked for a motion to introduce Ordinance #17-38 on first consideration.

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, O'Brien, Reiner, Mayor Gilbert

NOES: None

RECUSE: Mangin

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 21, 2017.

Mayor Gilbert read by title Ordinance #17-39.

ORDINANCE APPROPRIATING \$65,000 FROM THE CAPITAL SURPLUS FUND FOR THE ACQUISITION OF A COMMAND VEHICLE FOR AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Gilbert asked for a motion to introduce Ordinance #17-39 on first consideration.

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, O'Brien, Reiner, Mayor Gilbert

NOES: None

RECUSE: Mangin

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 21, 2017.

CORRESPONDENCE

*New Jersey General Assembly Resolution #216 – Encouraging the planting of native plants that support the bee population and create habitat for all pollinators by NJ homeowners.

*Letter of commendation – Brian Taggart, Public Works

NON-CONSENT AGENDA

Mayor Gilbert read Resolution #17-272 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-272.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

AYES: Chen, Mangin, O’Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-272

**A RESOLUTION AUTHORIZING 2017 BUDGET TRANSFER #1
(EMERGENCY)**

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

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

WHEREAS, the Township is moving to a self-funded health insurance program January 1, 2018 and the stop loss carrier is requiring pre-funding for the 2018 contract; and

WHEREAS, no appropriation was made for the immediate binder payment in the 2017 budget and a transfer is necessary.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan that the following transfers are authorized between appropriations in the 2017 budget and that a certified copy of this resolution adopted by **not less than a two-thirds (2/3) vote of the full membership of the governing body** be transmitted to the Administrator and Chief Financial Officer.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Social Security	Deferred Contribution	\$ 850.00
Social Security	Group Health Insurance	\$29,151.00
Social Security	Employee Bonds	\$ 500.00
Social Security	General Liability Insurance	\$ 1,785.79
Social Security	Worker’s Compensation Insurance	\$ 5,723.81

Police S&W	Administration S&W	\$ 5,900.00
Police S&W	Tax Collector S&W	500.00
Utilities	Solid Waste Disposal	\$ 3,000.00
Total		<u>\$47,410.60</u>

Mayor Gilbert read Resolution #17-274 by title.

Committee Member O'Brien commented that the protocol for budget transfer approval requires introduction at one meeting and approval at the next. Committee Member O'Brien requested that the Committee table the action regarding the proposed resolution authorizing budget transfer #2.

Motion by Committee Member O'Brien to table resolution #17-274. There was no second.

Mayor Gilbert asked for a motion to adopt Resolution #17-274.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-274

**A RESOLUTION AUTHORIZING 2017 BUDGET TRANSFER #2
(UNFUNDED)**

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

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

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following transfers are authorized between appropriations in the 2017 budget and that a certified copy of this resolution adopted **by not less than a two-thirds (2/3) vote of a full membership of the governing body** be transmitted to the Administrator and Chief Financial Officer.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Police S&W	Snow Removal S&W	\$10,000.00
Utilities	Snow Removal OE	\$25,000.00
Total		<u>\$35,000.00</u>

Mayor Gilbert read Resolution #17-273 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-273.

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert

NOES: O'Brien

ABSTAIN: None

ABSENT: None

RESOLUTION #17-273

RESOLUTION AMENDING THE 2017 CAPITAL BUDGET

WHEREAS, the local capital budget for the year 2017 was adopted on May 2, 2017; and

WHEREAS, it is desired to amend the capital budget section.

NOW, THEREFORE BE IT RESOLVED, by a majority of the full membership of the Governing Body of the Township of Raritan, County of Hunterdon, State of New Jersey, that the following budget amendment be made:

Project Title	Cost Estimate As Adopted	Cost Estimate As Amended
Reappropriated from:		
Capital Surplus Fund	\$65,000.00	
Reappropriated to:		
Acquisition of command vehicle		\$65,000.00
TOTAL:	\$65,000.00	\$65,000.00

BE IT FURTHER RESOLVED, that one certified copy of this resolution be filed with the Director of Local Government Services, and one copy be forwarded to the Township Auditor and filed with the Chief Financial Officer.

Mayor Gilbert read Resolution #17-275 by title.

Mr. Lehrer explained that there are currently two (2) bills in the Senate amending the Open Public Meetings Act (OPMA) and the Open Public Records Act (OPRA), that are being opposed by the New Jersey League of Municipalities (NJLOM), which will result in significant financial and administrative burdens on municipalities and records custodians.

Mr. Lehrer cited a few of the proposed changes including the identification of summer interns as public employees and their work subject to OPRA; subcommittees subject to OPMA; and mandatory legal fees for those who win OPRA cases. Mr. Lehrer further explained that the NJLOM is requesting that governing bodies express their opposition to these proposals.

Committee Member Reiner commented that Senator Bateman (16th Legislative District) and Senator Doherty (23rd Legislative District) oppose the legislation. Committee Member Reiner spoke in opposition as well and added that Senator Loretta Weinberg is a sponsor of the proposed bills.

Committee Member O'Brien commented on transparency including the need on behalf of public officials to maximize such. He continued that there are a lot of good proposed changes such as the requirement for posting minutes on the municipal website; the timeframe for which minutes must be made available to the public from sixty (60) to fifteen (15) days; the availability of audio records to the public; and not permitting late substitutions to the agenda. Committee Member O'Brien expressed support in favor of the proposed legislation.

Committee Member Chen spoke in opposition commenting that the proposed legislation is burdensome and will cost the Township more overhead to satisfy the requirements.

Deputy Mayor Mangin concurred that such proposals are burdensome.

Mayor Gilbert commented that the proposed legislation is very broad sweeping with more problems than positives. Mayor Gilbert continued that requiring all municipalities to abide by such legislation would be burdensome.

Mayor Gilbert asked for a motion to adopt Resolution #17-275.

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Mangin, Reiner, Mayor Gilbert

NOES: O'Brien

ABSTAIN: None

ABSENT: None

RESOLUTION #17-275

**A RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS
REGARDING THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS ACT**

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities, and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan that the legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

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.

At this time, Committee Member O'Brien requested that proposed Resolution #17-266, authorizing the employment of Holly Todd as full-time Assessing Clerk in the Tax Assessor Department be removed from the Consent Agenda for further consideration.

Mayor Gilbert read the following resolutions by title.

Mayor Gilbert asked for a motion to adopt the Consent Agenda as amended with the removal of Resolution #17-266.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

AYES: Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #17-267

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

WHEREAS, Judith Suddeath has requested the return of a Developer's Escrow; and

WHEREAS, Kristi Gano, Payroll/HR Coordinator, has submitted a memo dated October 26, 2017 and recommended the return of the following Developer's Escrow:

Judith Suddeath	BOA #12-2017	\$460.50
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NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan that the Developer's Escrow posted by Judith Suddeath in the amount of \$460.50 is hereby refunded.

RESOLUTION #17-268

**A RESOLUTION AUTHORIZING THE RETURN OF AN
INSPECTION ESCROW (NEXTEL)**

WHEREAS, Nextel has requested the return of its Inspection Escrow; and

WHEREAS, Kristi Gano, Payroll/HR Coordinator, has submitted a memo dated October 25, 2017 and recommended the return of the following Inspection Escrow:

Nextel	BOA #11-2004	\$11.08
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NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan that the Inspection Escrow posted by Nextel in the amount of \$11.08 is hereby refunded.

RESOLUTION #17-269

**A RESOLUTION AMENDING THE REFUND AMOUNT
OF A DEVELOPER'S ESCROW**

WHEREAS, Resolution #17-243 was adopted September 19, 2017 authorizing the refund of a Developer's Escrow in the amount of \$2,659.82 to Hunterdon Orthopaedic Institute (HOI); and

WHEREAS, the Finance Department has determined that there was an error in the amount on said resolution; and

WHEREAS, Kristi Gano, Payroll/HR Coordinator, has submitted a memo dated October 25, 2017 revising said amount of refund to \$5,422.49.

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 \$2,659.82 authorized to be refunded on September 19, 2017 to HOI by Resolution #17-243 be corrected to the revised amount of \$5,422.49.

RESOLUTION #17-270

RESOLUTION AUTHORIZING CHANGE ORDER #2 WITH DESANTIS CONSTRUCTION, INC. FOR ROAD RECONSTRUCTION OF SUNNY HILLS SECTION 1

WHEREAS, a contract was awarded on May 2, 2017 for the road reconstruction of Sunny Hills Section I; and

WHEREAS, the project was awarded to DeSantis Construction, Inc. of Somerset, New Jersey in the amount of \$1,130,366.00; and

WHEREAS, on September 5, 2017, the Township authorized Change Order #1 increasing the total contract amount by \$825.00; and

WHEREAS, the Township Engineer recommends Change Order #2 which decreases the total contract amount by \$6,716.24 be approved by the Township Committee for the reasons outlined in the memorandum dated October 30, 2017.

NOW, THEREFORE BE IT RESOLVED, on this 6th day of November, 2017 by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey:

1. That Change Order #2 representing a decrease in the amount of \$6,716.24 be and is hereby approved with respect to the contract for road reconstruction of Sunny Hills Section I.
2. That the amount of all Change Orders be a 0.52% decrease to the total contract amount for a new contract amount with Desantis Construction, Inc. of \$1,124,474.76.

BE IT FURTHER RESOLVED that a copy of this Change Order shall be affixed and made part of this resolution and that a certified copy be sent to DeSantis Construction, Inc. of Somerset, New Jersey.

RESOLUTION #17-271

A RESOLUTION AUTHORIZING THE RELEASE OF LETTER OF CREDIT AND CASH PERFORMANCE BOND (AMBOY BANK FKA SAVANNAH RIDGE/JEM CONTRACTING)

WHEREAS, Amboy Bank/G.S. Realty (formerly known as Savannah Ridge/JEM Contracting) has requested the release of its Letter of Credit #1761 and Cash Performance Bond; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the release of the Letter of Credit #1761 in the amount of \$226,202.76 and Cash Performance Bond in the amount of \$25,133.64 plus any accrued interest.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, that the Letter of Credit #1761 in the amount of \$226,202.76 and Cash Performance Bond in the amount of \$25,133.64 plus any accrued interest are hereby returned.

Mayor Gilbert read Resolution #17-266 by title.

Committee Member O'Brien raised concern regarding the Township's policy on nepotism and that no other candidates were interviewed.

Mayor Gilbert clarified that Committee Member O'Brien's concern referred to the fact that Holly Todd is the sister-in-law to one of the Township employees.

Committee Member Chen concurred that more candidates should be interviewed and expressed opposition to the proposed resolution.

Mr. Lehrer advised that the relationship does not violate the terms of the personnel policy under the definition of what constitutes nepotism, as the current employee does not have the authority to supervise, hire, fire, or discipline and is not the kind of work relationship that would cause any legal concern.

Discussion continued regarding the hiring process and the issue of nepotism.

Mr. Hutchins explained that Ms. Todd has been working temporarily in the Assessor's office for about a month to fill a vacancy; that she has temped in the offices of the Clerk, Construction, and helped in the Planning/Zoning Department. He continued that the Assessor is pleased with Ms. Todd's performance and clarified that there was no promise of employment when Ms. Todd accepted to temporarily work in the Assessor's office.

Mayor Gilbert asked for a motion to adopt Resolution #17-266.

Motion by Chen, seconded by Mangin

ROLL CALL VOTE:

AYES: Mangin, Reiner, Mayor Gilbert

NOES: Chen, O'Brien

ABSTAIN: None

ABSENT: None

During the vote, Committee Members expressed opinions as follows:

Committee Member Chen voted no.

Deputy Mayor Mangin commented that there is no policy violation and the Assessor is happy with the employee and voted yes.

Committee Member O'Brien commented that the relationship is too close in nepotism and voted no.

Committee Member Reiner voted yes.

Mayor Gilbert concurred with Deputy Mayor Mangin that the Assessor is happy with the candidate and expressed support for authorizing the employment of the candidate and voted yes.

RESOLUTION #17-266

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF HOLLY TODD AS FULL-TIME ASSESSING CLERK

WHEREAS, there exists a vacancy in the Tax Assessor Department for the position of Assessing Clerk; and

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

WHEREAS, Holly Todd has been employed as a temporary employee in various positions during the last six (6) months and has proven to be a valued asset to the Township; and

WHEREAS, Administrator Donald Hutchins recommends Holly Todd for the position of full-time Assessing Clerk.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that Holly Todd is hereby employed as the Assessing Clerk at an annual salary of \$38,000.00, effective November 6, 2017.

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 November 6, 2017.

PRIVILEGE OF THE FLOOR

Police Chief, Glenn Tabasko, commended Mr. Hutchins for his approach in addressing proposed changes to the Township's healthcare coverage. Chief Tabasko commented that this is the first time in 37 years that the issue was not met with skepticism by employees mostly accredited to Mr. Hutchins' open discussions and explanations.

Chief Tabasko informed Committee Members of an article on NJ.com where Raritan Township was listed as the 8th safest community regarding violent crimes in the State. Chief Tabasko credited this acknowledgement to the Township Committee for their decision making regarding police department staffing and to the officers as well for their efforts.

Chief Tabasko also acknowledged Patrolman Dave Carson for his heroic efforts in providing aid to a choking child on an international flight when Officer Carson was returning from vacation.

Chief Tabasko informed Committee Members that the Police Department is participating in "No Shave November," and will be donating funds, matched by the PBA, to Hunterdon Medical Center's Cancer Center.

Lastly, Chief Tabasko advised Committee Members that he will purchasing bullet proof vest covers for all patrolman with unused funding in his budget.

Wren Mortara, business owner of properties located at 349 and 361 Route 31; 79 Route 202/31, and Route 12, expressed gratitude for the adoption of Ordinance #17-30 authorizing repairs to the 911 clock; and expressed concerns for the current sign ordinance regarding the authorization of feathered flags and its impact to local businesses. Mr. Mortara requested that the Committee considering amending the ordinance to authorize usage of feathered flags to some extent.

Rob Case, business owner located on Route 202/31, commented that temporary signage and flags are prohibited in the Township.

A brief discussion was held regarding the protocol for amending the sign ordinance. It was the consensus of Committee Members to authorize the Township Attorney to proceed with revising the sign ordinance to allow the use of feathered flags.

Barbara Sachau, a resident of 2 Glenview Drive, commented on the funding of the New Jersey League of Municipalities by taxpayers; that the proposed legislation regarding OPRA and OPMA is supported by Senator Pennacchio (R); and inquired as to rentals taking place on the Dvoor farm.

Mayor Gilbert advised that the property is county-owned.

ADJOURNMENT

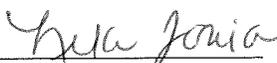
Mayor Gilbert asked for a motion to adjourn the meeting.

Motion by Mangin, seconded by Chen

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:36 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk