

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING  
RARITAN TOWNSHIP MUNICIPAL BUILDING  
TUESDAY, MARCH 5, 2019**

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

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

**ABSENT:** Comm. Gary Hazard (joined the meeting via remote access at 6:31 p.m.)

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

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

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Attorney, Ed Purcell, read Resolution #19-66 in full.  
Mayor Kuhl asked for a motion to approve Closed Session Resolution.  
Motion by Reiner, seconded by Mangin

**ROLL CALL VOTE:**

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

**RESOLUTION #19-66**

**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: Brownstein Property Acquisition (Open Space)
  - b) Personnel: Volunteer Fire Department – Chief; Police - Captain
  - c) Attorney-Client Privilege:

- d) Pending Litigation: Affordable Housing; OPRA complaint – African American Data & Research Institute

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

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***CLOSED SESSION MINUTES #1 WILL BE DONE IN A SEPARATE DOCUMENT***

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The regular meeting reconvened at 7:12 p.m.

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

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At this time, Committee Member Hazard disconnected from the remote connection.

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**AMEND/APPROVE THE AGENDA**

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

Committee Member Reiner advised of one additional item to the meeting agenda, a resolution authorizing a Sustainable Jersey grant application.

Motion by Reiner, seconded by Mangin to approve the Agenda as amended.

**ROLL CALL VOTE:**

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

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

The following members of the public spoke during public comment:

**Barbara Sachau**, a resident of 2 Glenway Drive, inquired as to the posting of the decision from NJDEP regarding the Dayton Road/ROSI (Recreation and Open Space Inventory) amendment; commented on the proper posting of meetings; and spoke in opposition to deer fencing.

During public comment, Municipal Clerk, Lisa Fania, advised that the letter from the NJDEP regarding the decision on the Dayton Road/ROSI amendment was posted on the Township's website on the homepage under "Dayton Road/ROSI," "Approval of ROSI Amendment."

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**PROCLAMATION – EAGLE SCOUT AWARD** (Brandon Kopp) – Mayor Kuhl reported on his attendance at the February 24, 2019 Eagle Scout Award Ceremony for Brandon Kopp as well as attendance at Cub Scout Pack 94 Blue and Gold dinner. Mayor Kuhl recognized Brandon Kopp's outstanding achievement and read the following proclamation into the record.

***A PROCLAMATION HONORING BRANDON KOPP  
FOR THE ACHIEVEMENT OF EAGLE SCOUT***

**WHEREAS**, Brandon Kopp of Boy Scout Troop 62 has earned the rank of Eagle Scout, the highest rank in scouting; and

**WHEREAS**, the rank of Eagle Scout is attained by fewer than four percent of all scouts and represents the accomplishment in leadership, exceptional commitment to community and an understanding of the Scout Oath and Law; and

**WHEREAS**, the rank of Eagle Scout is an honor in which we recognize Brandon's diligent work and dedication and celebrate the foundation he has created for a lifetime of active citizenship; and

**WHEREAS**, the Boy Scouts of America encourages Eagle Scout candidates to complete worthy projects to improve their neighborhoods, community and the region; and

**WHEREAS**, Brandon has devoted endless hours fulfilling the many requirements for the advancement in scouting including attaining thirty-one merit badges; holding prerequisite ranks and offices; the completion of an Eagle Scout project; and examination by the Eagle Scout Board of Review; and

**WHEREAS**, Brandon has completed the clearing of a trail for the Hunterdon County Parks Department.

**NOW, THEREFORE BE IT PROCLAIMED** on this 24<sup>th</sup> day of February, two thousand nineteen, by the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Brandon Kopp, member of Boy Scout Troop 62 is hereby recognized and honored for his achievement of the prestigious rank of Eagle Scout and that sincere congratulations and best wishes be extended for a successful future.

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**PRESENTATION – FLEMINGTON-RARITAN SCHOOL DISTRICT: CLASS III SPECIAL OFFICERS**

Kari McGann, Superintendent, Flemington-Raritan School District, appeared before the Committee to request the employment of Class III special officers throughout the district. Ms. McGann gave a power point presentation that included the following:

\*A formal request for

- \*support for the execution of a police agreement for school safety officers;
- \*approval of a memorandum of agreement to partner with the school district to hire two Class III officers during the academic year(s) beginning 2019-2020 and reupping with each new school year;
- \*creation of two positions for Special Law Enforcement Officers, Class III

\*Class III Officer duties to include:

- \*Exercise full powers and duties similar to those of permanent, regularly appointed, full-time police officers;
- \*Provide security at public and nonpublic schools during hours when school is normally in session or when occupied by public or nonpublic students or teachers

\*Safety and Security Measures in America's schools

- \*Locking and monitoring doors and gates;
- \*Metal detectors, security cameras, badges/picture IDs, random dog sniffs, strict dress codes, security guards, School Resource Officers, Class III Officers;
- \*Security drills, evacuation drills, lockdown drills

Well-Established Phases of Security Planning

- Prevent
- Protect and Mitigate
- Respond and Recover

Prevent

- Character development and a Culture of Connectedness
- Cyberbullying Prevention
- Curating a healthier and safer approach: issues of mental health and counseling for our young
- Training through drills and professional development

Protect and Mitigate

- Training School Personnel
- School and District Security and Staffing
- Emergency Training
- Effective School Security Plans
- Best Practices for School Building Security

Respond & Recover

- Active Shooter Preparedness and Mitigation

## Tragic Chronology

### Taking Steps for School and Staff Security

### Going Forward

#### Security Drill, February 15, 2019

Discussion was held regarding salary; possibility of a shared services agreement; qualifications and requirements of a Class III special officer; plan for utilizing Class III officers within the school district; potential for grant funding or federal/state aid; possibility of utilizing retired officers from the Sheriff's department; and timeline for implementation.

During the discussion, Ms. McGann reiterated that she is seeking to hire a total of three Class III officers, two from Raritan Township and one from Flemington Borough for the 2019-2020 academic school year with one additional officer every year until there is a total of six. Ms. McGann also requested funding from the Township for upfront startup costs for radios, uniforms and fire arms. Ms. McGann declined comment regarding security strategy for such officers due to matters of confidentiality. She continued to explain that the annual salary range consists of \$40,000 - \$60,000 per officer and that state aid is only available for private school security programs. Ms. McGann advised that Lebanon Township is paying a salary of \$65,000 for a Class III Officer. With regards to the qualifications of Class III Special Officers, Ms. McGann referred to a handout entitled, "District Policy: 7446 - School Security Program" detailing Board of Education policy regarding required certifications and documentation. She also recapped the request of the Committee to consider an ordinance authorizing the hiring of the Class III special officers along with the approval of a memorandum of understanding.

Mr. Purcell clarified that a Class III officer is a retired police officer that will be employed part-time.

Mr. Hutchins explained that the Township does not currently have a position of a Class III special officer so the position needs to be created by ordinance prior to any employment. Mr. Hutchins clarified that these officers will fall under the full jurisdiction and supervision of the Raritan Township Police Department.

Mr. Purcell advised that the next step would involve the adoption of an ordinance and the preparation of an agreement specifying the allocation of costs.

It was the consensus of the Committee that Ms. McGann meet with Mr. Hutchins to discuss agreement terms. Mr. Hutchins to update and advise accordingly at a future meeting.

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**FINANCIAL ISSUES**

Payment of Bills as listed for Raritan Township: **\$1,379,217.21**

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

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**REPORTS**

The following reports were acknowledged by the Committee:

Public Works – Snow Removal February 20-21; 28, 2019

Tax Collector – January 2019

**LIAISON REPORTS**

Karen Gilbert: Environmental Commission/Green Team; Open Space; Parks and Recreation; Planning Board (Class III Member)  
 Committee Member Gilbert advised that “thank-you” notes have been “rolling in” as a result of a Parks and Recreation program providing Valentines wishes to service men overseas. Committee Member Gilbert reported on a meeting of the Planning Board advising that two applications were continued to a future meeting and discussion was held regarding the re-examination of the Master Plan.

Jeff Kuhl: Planning Board (Class I Member); Personnel; Finance; Open Space  
 (Mayor) Mayor Kuhl reported that 2019 Municipal Budget discussions continue and that introduction is very close. Mayor Kuhl reiterated that students from Hunterdon Polytech will be restoring the schoolhouse at the fairgrounds. Mayor Kuhl had no report for Personnel or the Open Space Advisory Committee.

Michael Mangin: Board of Health; Finance; Public Works  
 Committee Member Mangin reported that 2019 Municipal Budget discussions are progressing; that the Board of Health meeting was cancelled due to snow and that the proposed presentation on Vaping will be carried to a future meeting; and commended the Department of Public Works for their outstanding efforts in storm clean up.

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

Deputy Mayor Reiner reported that the farmland preservation plan is nearing completion; advised that he will provide an update on the status of the Flemington-Raritan First Aid and Rescue Squad's new building in Raritan Township at a future meeting; and commended the efforts of the Wildlife Management Advisory Committee in "thinning deer herds for making roads safer."

At this time, Committee Member Mangin commented on recent power outages in the Township advising that some were cable related. Mr. Mangin invited Raritan Township, Office of Emergency Management (OEM) Coordinator, Chris Phelan, to the dais to provide an update on some of the related issues.

Mr. Phelan acknowledged the outstanding efforts of the Department of Public Works (DPW), the Raritan Township Police Department, and all of the Township's emergency services during the past several storms.

Mr. Phelan advised Committee Members of the ongoing issue of getting a timely response from Comcast Cable in matters involving downed wires and road closures. Mr. Phelan cited a recent example of a downed tree on Comcast wires on Old Croton Road for which a response was not received for five days. He continued that the five-day closure negatively impacted area residents and schools due to rerouting. Mr. Phelan added that the issue presents life hazard and safety concerns to the Public Works Department, as they cannot remove trees entangled in wires. He continued to explain that the County is aware of the situation and that the Township's OEM office is working in conjunction to rectify the situation.

Committee Members acknowledged and expressed gratitude to Mr. Phelan and all first responders for all of their efforts in keeping the community safe.

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## **UNFINISHED BUSINESS**

### **Deer Survey/Fencing Proposals**

(Committee Member Hazard reconnected via phone at the start of the discussion but call was lost and no remote connection resumed.)

Discussion regarding deer survey and fencing proposals continued from the previous Committee meeting.

Brion Fleming, Superintendent of Public Works, introduced Dr. Jay Kelly, Professor of Biology and Co-director of the Center for Environmental Studies at Raritan Valley Community College (RVCC).

Mayor Kuhl inquired about the deer monitoring program.

Dr. Kelly explained that road-based surveys have been conducted in the Township for the past two years which provide the greatest coverage for the least cost but with visibility only from the road. He continued that last year complimentary pilot studies were performed utilizing Infrared drones to determine the extent of the deer population that was being missed off of the road, as there are large parcels that are forested or farmed throughout the Township. Dr. Kelly advised that the Infrared drones are the least expensive way of getting such data for places that are not accessible from the road. He continued that the road-based survey results indicated that the average town-wide deer population was about 80 per square mile on average and the drone surveys identified large populations of deer off of the road and when factoring in that data the number increased to between 100-150 deer per square mile.

Dr. Kelly explained that the proposal submitted this year provided three options:

- \*Road-based survey
- \*Road-based survey with complimentary, small scale pilot Infrared surveys by drone in the same manner last year, four properties
- \*Comprehensive drone-based surveys – covering all open space properties

Discussion was held regarding the possibility of performing a test in one area with regards to fencing.

Amy Greene, member of the Wildlife Management Advisory Committee (WMAC), commented that two areas were recommended by the WMAC, one off of Thatchers Hill Road, 2-acres, where 125 trees were recently planted; and a second area at Morales Park, a mature forest where the soils have never been tilled. Ms. Greene continued to explain that the area at Morales Park is adjacent to County-owned uplands and next to trails that people are using all of the time. Ms. Greene continued that the cost of the fencing is about \$6,900.00 for both parcels with maintenance provided by the students at RVCC for \$300.00 per site.

Mr. Fleming commented that he solicited three proposals and Dr. Kelly's proposal was the best price.

Ms. Green continued to comment that, "the funds that we receive for the hunting permits are required to be used for open space purposes....the WMAC's charge is to figure out ways to protect the forest and manage deer..." Ms. Greene further explained that funds have been utilized for the base line studies and the installation of parking areas at Township-owned open space properties.

Committee Members raised questions and concerns regarding the contract and Dr. Kelly's future with the program.

Committee Members thanked Dr. Kelly and expressed appreciation for his volunteer efforts with the program.

Mayor Kuhl expressed support in favor of a good survey every other year and one enclosure as a pilot.

Deputy Mayor Reiner concurred with Mayor Kuhl.

Committee Member Mangin spoke in favor of Mayor Kuhl's recommendation as well.

During the discussion, it was suggested that the WMAC recommend one parcel for fencing. Ms. Greene commented that each of the two parcels demonstrate different situations. Mr. Fleming voiced same opinion.

Dr. Kelly advised that there are time limitations regarding the reliability of deer surveys. He requested that the Committee consider taking action regarding the deer surveys, as the time window for optimum results is March and April.

Mr. Purcell advised that the next step would be to authorize Mr. Hutchins to draft a resolution appropriating the funds for the deer survey and entering into an agreement with Raritan Valley College for approval at the next regular meeting.

Mayor Kuhl asked for a motion to authorize the appropriation of \$9,050 for a deer survey and to enter into an agreement with RVCC to provide such service to be memorialized at the next regular meeting.

Motion by Gilbert, seconded by Mangin

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

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**NEW BUSINESS**

**Request of Dennis Schoeb for Tent Reception, April 27, 2019** – Mr. Hutchins advised that the correspondence from Mr. Schoeb is for informational purposes only to make the Committee aware of an event he will be holding on his property; and that he will comply with Township ordinances and public safety requirements. There was no action required of the Committee.

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**Request of Hunterdon County Freeholders for support of constitutional amendment ensuring 9-1-1 fees paid by the public are used for their intended purpose – to support county and local 9-1-1 centers** – Mr. Purcell explained that in New Jersey, all telephone lines have a special surcharge that is supposed to fund 9-1-1 services. He continued that “New Jersey, like a lot of other states, uses the funds to plug budget holes, so essentially 9-1-1 services are being paid for by property taxes.” Mr. Purcell further commented that NJ counties are pushing to rectify this by constitutional amendment. Mayor Kuhl continued that the County is seeking support from the Township by resolution. It was the consensus of the Committee to proceed with a resolution at the next regular meeting.

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**ORDINANCES (INTRODUCTION/FIRST READING)**

Mayor Kuhl read by title Ordinance #19-07.

Mr. Purcell explained that there is some clarity needed regarding language referencing the Board of Adjustment and the member of the Township Committee that can also serve on the Historians Committee. He continued to advise that the ordinance could be introduced as is and be adopted as amended with the corrected language at the next regular meeting, as the change is not substantive.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2.104 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN ENTITLED “LOCAL HISTORIANS COMMITTEE” BY REVISING SECTION 2.104.010 ENTITLED “ESTABLISHMENT—COMPOSITION”**

Mayor Kuhl asked for a motion to introduce Ordinance #19-07 on first consideration.  
Motion by Gilbert, seconded by Mangin

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for March 19, 2019.

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

Mayor Kuhl read by title Ordinance #19-01.

Mr. Purcell explained that the proposed ordinance was reviewed by the Planning Board and found to not be inconsistent with the Master Plan. He continued that the Planning Board did request an amendment clarifying that the generators be only permitted in the side or rear yards.

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 16.02 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN ENTITLED “PURPOSE, ADMINISTRATION, AND DEFINITIONS” THROUGH THE ADDITION OF A DEFINED TERM TO SECTION 16.02.030 ENTITLED “DEFINITIONS” AND AMENDING AND SUPPLEMENTING CHAPTER 16.24K ENTITLED “R-9 PLANNED AGE RESTRICTED, ASSISTED LIVING FACILITY DEVELOPMENT DISTRICT” BY REVISING SECTION 16.24K.050 ENTITLED “SUPPLEMENTARY REGULATIONS APPLYING TO AGE RESTRICTED HOUSING UNITS WITHIN THE R-9 ZONING DISTRICT”**

Mayor Kuhl asked for a motion to open public hearing.

Motion by Reiner, seconded by Gilbert

**MOTION UNANIMOUSLY CARRIED**

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-01 on final consideration, same to be published according to law.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**ORDINANCE ADOPTED**

### **ORDINANCE #19-01**

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 16.02 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN ENTITLED “PURPOSE, ADMINISTRATION, AND DEFINITIONS” THROUGH THE ADDITION OF A DEFINED TERM TO SECTION 16.02.030 ENTITLED “DEFINITIONS” AND AMENDING AND SUPPLEMENTING CHAPTER 16.24K ENTITLED “R-9 PLANNED AGE RESTRICTED, ASSISTED LIVING FACILITY DEVELOPMENT DISTRICT” BY REVISING SECTION 16.24K.050 ENTITLED “SUPPLEMENTARY REGULATIONS APPLYING TO AGE RESTRICTED HOUSING UNITS WITHIN THE R-9 ZONING DISTRICT”**

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

**Section 1.** Chapter 16.02 entitled “Purpose, Administration and Definitions” is hereby amended and supplemented through the addition of a defined term to Section 16.02.030 entitled “Definitions” as follows:

#### **HELISTOP**

An area that is used for the landing and takeoff of helicopters, but without any auxiliary facilities such as helicopter parking areas, waiting rooms, fueling or maintenance equipment.

#### **HOME BACKUP POWER GENERATOR**

**An electrical generation unit which is installed outside of a home and is designed to act as a source of backup power during temporary electrical outages.**

#### **HOME BUSINESS**

A single business conducted from a portion of an existing single-family dwelling, or from another building on property on which there is an existing single-family dwelling. Home businesses shall

be limited to retail specialty shops and activities, artisans' workshops and offices and shops, including antique, gift, book, bakery, bicycle and candy sales; galleries; photography and art studios; coin, stamp and beauty shops; cabinet making; tutoring; tailoring; professional occupations; shoe repairing; private and nursery schools; dog care; barbershops; caterers; hobby shops; fruit and vegetable markets; florists; real estate agencies; and insurance brokers.

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**Section 2.** Chapter 16.24K entitled "R-9 Planned Age Restricted, Assisted Living Facility Development District" is hereby amended and supplemented through the amendment of Subsection I. of Section 16.24K.050 entitled "Supplementary Regulations Applying to Age Restricted Housing Units within the R-9 Zoning District" as follows:

I. Minimum standards for single-family detached dwellings within a planned age restricted adult community development are as follows:

...

4. Minimum Yard Requirements for Accessory Building. Such accessory building or structure shall only be located in a rear yard, except for Home Backup Power Generators as that term is defined in Section 16.02.030 of the Township Code which may be located in side or rear yard, and not closer than five feet to any property line. On a corner lot, an accessory structure shall not be located closer to a street than the dwelling on such lot and shall not be located closer than five feet to any other property line.

....

**Section 3.** After introduction, the Township Clerk is hereby directed to submit a copy of the Ordinance to the Planning Board of the Township of Raritan for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Planning Board is directed to make and transmit to the Township Committee, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate.

**Section 4.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

**Section 5.** All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 6.** This Ordinance shall take effect immediately upon: (i) adoption; (ii) publication in accordance with the laws of the State of New Jersey; and (iii) filing of the final form of adopted Ordinance by the Clerk with the Hunterdon County Planning Board pursuant to N.J.S.A. 40:55D-16.

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

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Mayor Kuhl read by title Ordinance #19-05.

**AN ORDINANCE ACCEPTING DEEDS OF ROAD DEDICATION FROM  
MARK HOLLENBACK AND ELLEN HOLLENBACK WITH REGARD TO  
LOT 12.01, BLOCK 20 AND LOT 12.02, BLOCK 20 AS SHOWN ON THE  
TAX MAP OF THE TOWNSHIP OF RARITAN**

Mayor Kuhl asked for a motion to open public hearing.

Motion by Gilbert, seconded by Reiner

**MOTION UNANIMOUSLY CARRIED**

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-05 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**ORDINANCE ADOPTED**

**ORDINANCE #19-05**

**AN ORDINANCE ACCEPTING DEEDS OF ROAD DEDICATION FROM  
MARK HOLLENBACK AND ELLEN HOLLENBACK WITH REGARD TO  
LOT 12.01, BLOCK 20 AND LOT 12.02, BLOCK 20 AS SHOWN ON THE  
TAX MAP OF THE TOWNSHIP OF RARITAN**

**WHEREAS**, Mark Hollenback and Ellen Hollenback are the owners of property located at Lot 12.01 in Block 20 and Lot 12.02 in Block 20 (the "Property") as shown on the Tax Map of the Township of Raritan; and

**WHEREAS**, on May 23, 2018 (the "Applicants") received minor subdivision approval (the "Approval") for the Property from the Raritan Township Planning Board (the "Board"), Application S-1433-M, which Approval was memorialized by a Resolution of Approval No.12-2018 adopted on August 8, 2018 and amended by Planning Board Resolution 12-2018A adopted on January 9, 2019; and

**WHEREAS**, as a condition of the Approval, the Board required Applicants to grant to the Township certain Deeds of Road Dedication; and

**WHEREAS**, the proposed Deeds of Road Dedication have been reviewed and approved by the Raritan Township Attorney and Township Engineer; and

**WHEREAS**, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, wishes to accept the Deeds of Road Dedication from Applicants.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that it hereby authorizes acceptance of the Deeds of Road Dedication attached hereto.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect upon its adoption, passage and publication according to law.

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Mayor Kuhl read by title Ordinance #19-06.

**CALENDAR YEAR 2019  
ORDINANCE TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45:14)**

Mayor Kuhl asked for a motion to open public hearing.  
Motion by Gilbert, seconded by Mangin  
**MOTION UNANIMOUSLY CARRIED**  
There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-06 on final consideration, same to be published according to law.  
Motion by Gilbert, seconded by Mangin

**ROLL CALL VOTE:**

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

**ORDINANCE #19-06**

**CALENDAR YEAR 2019  
ORDINANCE TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A:4-45:14)**

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

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

**WHEREAS**, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby determines that this difference in the amount of \$551,473.50 that is not appropriated as part of the final budget shall be retained as an exception to the final appropriations in either of the next two succeeding years.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Township of Raritan shall, in accordance with this ordinance and

N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$551,473.50, and that the CY 2019 municipal budget for the Township of Raritan be approved and adopted in accordance with this ordinance; and

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

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

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

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## **CORRESPONDENCE**

**Letter of commendation from Iron Gate Security, LLC (Officer Alexander Soh, Detective Corporal Scott Iglay, Municipal Clerk, Lisa Fania)** – Mayor Kuhl read into the record, a letter acknowledging the outstanding level of service and professionalism provided by Officer Soh, Detective Corporal Iglay and Municipal Clerk Fania.

(letter is attached herewith and made a part of these minutes)

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## **NON-CONSENT**

### **Township Committee Regular Meeting Minutes**

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of February 19, 2019.

Motion by Mangin, seconded by Gilbert

#### **ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**Township Committee Executive Session Meeting Minutes**

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes of February 19, 2019.

Motion by Gilbert, seconded by Mangin

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**Township Committee Special Meeting Minutes**

Mayor Kuhl asked for a motion to approve the Special Meeting Minutes of February 15, 2019.

Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**Township Committee Special Meeting Minutes**

Mayor Kuhl asked for a motion to approve the Special Meeting Minutes of February 19, 2019.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

---

Mayor Kuhl read Resolution #19-67 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-67.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**RESOLUTION #19-67**

**A RESOLUTION AUTHORIZING VALIC AS 457 DEFERRED COMPENSATION  
PLAN PROVIDER FOR THE TOWNSHIP OF RARITAN**

**WHEREAS**, the Township of Raritan (hereinafter referred to as the "Employer" or the "Township") desires to attract and retain qualified employees to be employed by the Township and, as a means thereof, is contemporaneously adopting an Internal Revenue Code Section 457 Deferred Compensation Plan (hereinafter referred to as the "Plan") for the purpose of making available to eligible employees the accrual of tax benefits under such Plan; and

**WHEREAS**, the Employer desires such Plan to comply with the Small Business Job Protection Act of 1996, the Economic Growth and Tax Relief Reconciliation Act of 2001, the Job Creation and Worker Assistance Act of 2002, the final Internal Revenue Code ("Code") Section 415 regulations, Pension Protection Act of 2006, the Heroes Earnings Assistance and Relief Tax Act of 2008 and the Worker, Retiree, and Employer Recovery Act of 2008 amendments to Section 457 of the Internal Revenue Code, such amendments being necessary to maintain the Plan as an eligible Deferred Compensation Plan within the meaning of Section 457 of the Internal Revenue Code of 1986 ("Code"), as subsequently amended; and

**WHEREAS**, the Employer also desires such Plan to comply with the regulations promulgated under Code Section 457 (including proposed revisions thereto); and Internal Revenue Service Revenue Procedures 2004-12 and 2004-56; and

**WHEREAS**, the offering of additional investments from another contractor will provide additional retirement investment options to participating employees and serves the interest of the Township by enabling it to provide enhanced retirement security to its eligible employees; and

**WHEREAS**, such deferred compensation plans are at no cost to the Township; and

**WHEREAS**, The Variable Annuity Life Insurance Company ("VALIC") has been found to possess the necessary administrative, enrollment, and servicing capabilities for the Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, pursuant to N.J.A.C. 5:37-4.2, does hereby adopt the Plan prepared by VALIC and assigned Plan Document identifier 81-PD-VALIC-103111 by the Director of the Division of Local Governmental Services.

**BE IT FURTHER RESOLVED** that the Employer is adopting a Prototypical Deferred Compensation Plan substantially similar to one on which a favorable Private Letter Ruling has been previously obtained from the Internal Revenue Service except for provisions added by reason of the Small Business Job Protection Act of 1996 (United States Public Law No. 104-88), the Economic Growth and Tax Relief Reconciliation Act of 2001 (United States Public Law No. 107-16), the Job Creation and Worker Assistance Act of 2002 (United States Public Law No. 107-147), the final Internal Revenue Code ("Code") Section 415 regulations, Pension Protection Act of 2006 (United States Public Law No. 109-280), the Heroes Earnings Assistance and Relief Tax Act of 2008 (United States Public Law No. 110-245) and the Worker, Retiree, and Employer Recovery Act of 2008 (United States Public Law No. 110-458), and regulations promulgated under Code Section 457 (including proposed revisions thereto), and Internal Revenue Service Revenue Procedures 2004-12 and 2004-56, and all such provisions are stated in the Plan in terms substantially similar to the text of those provisions in Internal Revenue Code Section 457. The use of the Ruling is for guidance only and the Employer acknowledges that for Internal Revenue Service purposes, the Ruling of another employer is not to be considered precedent.

**BE IT FURTHER RESOLVED** that the Plan Administrator, Raritan Township Administrator, shall be designated as the official representative of the Employer and Plan Administrator for the Administration of the Plan.

**BE IT FURTHER RESOLVED** that

- (1) Solicit Proposals: A request for proposals for a Deferred Compensation Plan and Service Agreement was prepared and made available to the following contractors:

NATIONWIDE

VALIC

ICMA- RC

- (2) Responding Vendors: The vendors responding to the request for proposals were:

NATIONWIDE

VALIC

(3) Selection Rationale: The successful vendor is VALIC. The Employer reviewed all of the proposals submitted and met with representatives of the responding companies. VALIC was selected because VALIC has been found to possess the necessary administrative, enrollment, and servicing capabilities for the Plan. Further, VALIC currently represents the Township for LOSAP and has proven to be an outstanding partner providing the Township with all the necessary administrative, enrollment and servicing capabilities relating to LOSAP.

**BE IT FURTHER RESOLVED** that VALIC shall be retained by the Employer as the contractor under the Deferred Compensation Plan, and VALIC shall educate all eligible employees of the Employer regarding the Plan and shall enroll and service those eligible employees who participate in the Plan. As enrolling agent, VALIC shall be the exclusive agent for its funding options to be offered under the Plan.

**BE IT FURTHER RESOLVED** that there has been no collusion or evidence or appearance of collusion between any local official and a representative of the contractor in the selection of a contractor for the administration of a Service Agreement pursuant to N.J.A.C. 5:37-5.7.

**BE IT FURTHER RESOLVED** that the Township Administrator is hereby authorized to execute a Service Agreement with VALIC and that such Service Agreement has been assigned by the Director of the Division of Local Government Services the following identifier: 03-SA-VALIC-E121201; and to submit all necessary documents to the Director of Local Government Services in the State Department of Community Affairs for approval.

**BE IT FURTHER RESOLVED** that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services within the State Department of Community Affairs.

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Mayor Kuhl read Resolution #19-68 by title.  
Mayor Kuhl asked for a motion to adopt Resolution #19-68.  
Motion by Reiner, seconded by Mangin

**ROLL CALL VOTE:**

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

**RESOLUTION #19-68**

**A RESOLUTION ESTABLISHING TAX REFUND POLICY  
FOR PERMANENTLY AND TOTALLY DISABLED VETERANS**

**WHEREAS**, *N.J.S.A. 54:4-3.30-34* grants an exemption from local property taxes for the dwelling house of a qualified permanently and totally disabled veteran; and

**WHEREAS**, over a number of years the Township Committee has received applications for the refund of property taxes paid by veterans who have been declared permanently and totally disabled by the United States Veterans Administration ("Veterans Administration"); and

**WHEREAS**, the Township Committee has granted refunds of all previously paid taxes to permanently and totally disabled veterans for all portions of the property tax and not just the municipal portion from the date of the veteran's declaration of disability by the Veterans Administration; and

**WHEREAS**, the decision as to whether to reimburse permanently and totally disabled veterans for past taxes is discretionary on behalf of the Township; and

**WHEREAS**, the Township Committee has the upmost respect and admiration for those who have sacrificed so much to protect our liberties; and

**WHEREAS**, the Township wishes to strike a balance between honoring veterans who have made this incredible sacrifice on behalf of their fellow countrymen against the financial burden that the return of previously paid taxes imposes upon non-exempt property owners, many of whom have been facing their own financial distress; and

**WHEREAS**, in considering how to achieve the proper balance, the Mayor and Committee have considered the fact that when the Township of Raritan collects taxes, it is obligated to collect for the local and regional schools as well as the County of Hunterdon but when it returns taxes to a veteran it cannot recover that portion of taxes collected for the local and regional schools or the County of Hunterdon, even though those taxes make up the majority of the taxes being returned; the result of which is that the taxpayers of the Township of Raritan must fund out of general municipal revenue any return of county or school taxes; and

**WHEREAS**, veterans may in fact still file a request for refunds from the entities which are in possession of such funds by approaching the local and regional School Boards as well as the County of Hunterdon directly; and

**WHEREAS**, the Township's practice of refunding all previously paid taxes, as set forth above, has become financially unsustainable; and

**WHEREAS**, the Mayor and Committee have concluded that the change in circumstances experienced by the Township requires that its past practice of returning all taxes paid by a veteran from the date of his or her declaration of disability needs to be modified to better reflect the current economic situation faced by the Township and its taxpayers; and

**WHEREAS**, this change does not, in any way, affect the tax exemption that a permanently and totally disabled veteran would otherwise be entitled to under New Jersey law from the date on which their application for said exemption is filed with the Township Tax Assessor.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby declare that the policy of the Township of Raritan regarding the return of previously paid municipal taxes to veterans declared to be permanently and totally disabled shall be to return that portion of previously paid municipal taxes which represents the municipal share of taxes collected but not that share of taxes collected for the local and regional schools, Hunterdon County or any other jurisdiction for which the Township collects taxes.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** the Township will only refund the municipal share of taxes paid by the veteran back to the date of determination of one-hundred percent disability as stated in the letter of determination provided by the Veterans Administration. However, the maximum amount of time that shall be included in a refund of previously paid municipal taxes by the veteran shall be to January First of the prior calendar year in which the Township Tax Assessor received the application.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Township reserves the right to modify this policy based on any changes in its financial situation in the future.

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Mayor Kuhl read Resolution #19-71 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-71.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**RESOLUTION #19-71**

**A RESOLUTION AUTHORIZING  
EMERGENCY TEMPORARY APPROPRIATION #1**

**WHEREAS**, the 2019 Budget has not been adopted and additional temporary appropriations are required in order to provide municipal services until the 2019 Budget is adopted; and

**WHEREAS**, N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for the purpose mentioned above.

**NOW, THEREFORE, BE IT RESOLVED**, (by not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20

Section 1. Emergency temporary appropriations be and the same are hereby made as follows:

<u>APPROPRIATIONS</u>	<u>SAL. &amp; WAGES</u>	<u>OTHER EXPENSES</u>
Postage & Photocopy		\$ 12,000.00
Administrator		10,000.00
Group Insurance		400,000.00
Snow Removal	\$ 20,000.00	
General Liability Insurance		145,238.22
Workers Compensation Insurance		160,678.29
General Legal Services		28,000.00
Auditing		15,000.00
Police	125,000.00	15,000.00
Fire Hydrants		70,000.00
Fire Company		40,000.00
Emergency Management	2,100.00	
Social Security		10,000.00
Unemployment Insurance		3,000.00
Totals	\$147,100.00	\$908,916.51
	<b>GRAND TOTAL:</b>	<b>\$1,056,016.51</b>

Section 2. That the said emergency temporary appropriations will be provided for in the 2019 Budget.

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Mayor Kuhl read Resolution #19-73 by title.  
 Mayor Kuhl asked for a motion to adopt Resolution #19-73.  
 Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

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

**RESOLUTION #19-73**

**A RESOLUTION AUTHORIZING  
 EMERGENCY TEMPORARY APPROPRIATIONS #2**

**WHEREAS**, the 2019 Budget has not been adopted and additional temporary appropriations are required in order to provide municipal services until the 2019 Budget is adopted; and

**WHEREAS**, N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for the purpose mentioned above;

**NOW THEREFORE BE IT RESOLVED**, (by not less than two-thirds of all members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20;

Section 1. Emergency temporary appropriations be and the same are hereby made as follows:

<u>APPROPRIATIONS</u>	<u>SAL. &amp; WAGES</u>	<u>OTHER EXPENSES</u>
Public Employees Retirement System		\$ 543,555.00
Police & Fire Retirement System		1,081,930.00
Totals		\$1,625,485.00
	<b>GRAND TOTAL:</b>	<b>\$1,625,485.00</b>

Section 2. That the said emergency temporary appropriations will be provided for in the 2019 Budget.

---

Mayor Kuhl read Resolution #19-74 by title.  
 Mayor Kuhl asked for a motion to adopt Resolution #19-74.  
 Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

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

**RESOLUTION #19-74**

**A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE A SETTLEMENT AGREEMENT WITH UNITED STATES METAL POWDERS, INC. REGARDING IN THE MATTER OF THE TOWNSHIP OF RARITAN COMPLIANCE WITH THIRD ROUND MOUNT LAUREL AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, United States Metal Powders, Inc. (“USMP”), a New Jersey corporation, with an address at 2115 Little Gap Road, Palmerton Pennsylvania is the owner of Block 40, Lot 4 on the Township of Raritan (“Township”) Tax Map, commonly known as 408 U.S. Highway 202 (“USMP Property”), which consists of twenty-one (21) acres; and

**WHEREAS**, USMP intervened in the Township’s declaratory judgement action (“DJ Action”) entitled In the Matter of the Township of Raritan Compliance with Third Round Mount Laurel Affordable Housing Obligations, Docket No. HUN-L-312-15 which seeks a declaration that the Township’s amended Housing Element and Fair Share Plan satisfies its fair share of the regional need for low and moderate income housing pursuant to the Mount Laurel Doctrine; and

**WHEREAS**, USMP is amenable to fully and finally dismissing its intervention in the DJ Action premised upon the undertakings that the Township has agreed to perform in respect to the USMP Property; and

**WHEREAS**, the Township has agreed to perform certain undertaking in respect to the USMP Property; and

**WHEREAS**, the Township and USMP desire to resolve these matters and avoid further litigation and associated costs; and

**WHEREAS**, the parties have negotiated a Settlement Agreement resolving the matters discussed in this Resolution; and

**WHEREAS**, the Township Committee of the Township of Raritan believes that it is in the best interest of the Township to enter into the Settlement Agreement substantially in the form attached hereto as Exhibit "A."

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

1. The Township of Raritan is hereby authorized to enter into the Settlement Agreement, attached hereto as Exhibit "A," and the Mayor and Clerk are hereby authorized to execute four (4) copies of same.
2. The Clerk shall keep one copy of the executed Settlement Agreement on file with the Township and shall transmit the remaining executed agreements to the Township Attorney.
3. This Resolution shall take effect immediately.

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Mayor Kuhl read Resolution #19-75 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-75.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

**AYES:** Gilbert, Mangin, Reiner, Mayor Kuhl

**NOES:** None

**ABSTAIN:** None

**ABSENT:** Hazard

**RESOLUTION #19-75**

**A RESOLUTION OF SUPPORT AUTHORIZING  
SUSTAINABLE JERSEY GRANT APPLICATION**

**WHEREAS**, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

**WHEREAS**, the Township of Raritan strives to save tax dollars, assure clean land, air and water, and improve working and living environments; and

**WHEREAS**, the Township of Raritan is participating in the Sustainable Jersey Program;  
and

**WHEREAS**, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program; and

**WHEREAS**, the Mayor and the Township Committee of the Township of Raritan has determined that the Township of Raritan should apply for the aforementioned Grant.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, authorize the submission of the aforementioned Sustainable Jersey Grant.

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**Raritan Township Fire Company Application – Eric Franzysen**

Mayor Kuhl asked for a motion to approve the Fire Company application for Eric Franzysen.  
Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

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

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**CONSENT AGENDA**

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

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

**ROLL CALL VOTE:**

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

**RESOLUTION #19-69**

**A RESOLUTION AUTHORIZING THE RELEASE OF MAINTENANCE GUARANTEE  
(NJR CLEAN ENERGY VENTURE II)**

**WHEREAS**, NJR Clean Energy Venture II posted a maintenance guarantee January 20, 2017 in the amount of \$79,307.63; and

**WHEREAS**, NJR Clean Energy Venture II has requested the return of the maintenance guarantee; and

**WHEREAS**, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the return of the maintenance guarantee in the amount of \$79,307.63.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the maintenance guarantee posted by NJR Clean Energy Venture II in the amount of \$79,307.63 is hereby returned.

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**RESOLUTION #19-70**

**A RESOLUTION AWARDING A CONTRACT TO J. FLETCHER CREAMER & SON, INC. FOR BEAM GUIDE RAIL REPLACEMENT ON TOWNSHIP ROADWAYS**

**WHEREAS**, the Township of Raritan is in need of beam guide rail replacement on various township roads; and

**WHEREAS**, the Township of Raritan is a member of the Morris County Cooperative Pricing Council (MCCPC); and

**WHEREAS**, the Township of Raritan awarded a contract for beam guide rail replacement to Road Safety Systems, LLC, 12 Park Drive, Shamong, NJ in the amount of \$25,500.00 by Resolution #18-168, August 21, 2018; and

**WHEREAS**, the MCCPC has since changed vendors; and

**WHEREAS**, J. Fletcher Creamer & Son, Inc, 101 East Broadway, Hackensack, New Jersey, 07601 has been awarded contract #26 Beam Guide Rail & Safety Ends (Installed) through the MCCPC; and

**WHEREAS**, the Superintendent of Public Works recommends that J. Fletcher Creamer & Son, Inc. be awarded the contract for beam guide rail replacement; and

**WHEREAS**, the cost of this will be at the bid price as documented by the MCCPC and appropriated through Ordinance #18-20 in the amount of \$25,500.00; and

**WHEREAS**, this contract is subject to the state's pay-to-play law and is awarded through a fair and open process; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-03 for beam guide rail replacement.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the contract for beam guide rail replacement be awarded to J. Fletcher Creamer & Son, Inc, 101 East Broadway, Hackensack, New Jersey, 07601 in the amount of \$25,500.00.

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**RESOLUTION #19-72**

**A RESOLUTION AUTHORIZING THE SOLICITATION OF PUBLIC BIDS FOR MAINTENANCE AND REPAIR MATERIALS FOR THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the Superintendent of Public Works has recommended that bids be solicited for the procurement of various maintenance and repair materials; and

**WHEREAS**, the Township Committee of the Township of Raritan has determined that these materials and repairs are necessary.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Township hereby authorizes the solicitation of public bids for maintenance and repair materials as follows:

1. Estimated amount of 2,150 tons of Bituminous Concrete (FOB)
2. Estimated amount of 1,150 tons of various stone (FDS)
3. Estimated amount of virgin-rubbed Bituminous Concrete (FOB)

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### **PRIVILEGE OF THE FLOOR**

The following members of the public spoke during public comment:

**Barbara Sachau**, a resident of 2 Glenway Drive, inquired about the legality of a voice vote to authorize action regarding the deer fencing; expressed concern regarding the accuracy of the information presented by Dr. Kelly on the impact of deer exclosure on forest preservation; commented on other influences affecting the forests; objected to the proposed use of funds; and commented that the source of school shooting incidences are connected to hunting families.

**Dr. Jeffrey Moore**, Superintendent of Hunterdon Central Regional High School, extended gratitude for the assistance provided by the Township's Office of Emergency Management and Department of Public Works Department; expressed support in favor of Ms. McGann's presentation regarding the employment of Class III officers; advised of the high school's interest in pursuing employment of Class III officers as well; acknowledged the positive impact of School Resource Officer, Tim Nemeth's presence on students and staff; and spoke positively of the working relationship with Chief Payne and the Police Department.

During Public Comment, Mr. Purcell briefly explained Public Contracts Law and advised that the voice vote taken earlier in the meeting agenda regarding the authorization of deer surveys was legal. He continued that the subject matter regarding the use of Township funds for the proposed improvements and open space purposes was discussed at the previous regular meeting and carried.

Mayor Kuhl announced that the Committee will reconvene closed session to discuss matters including contract negotiations, affordable housing, and an OPRA complaint and will not reconvene. Mayor Kuhl advised that there will be no action taken.

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Closed Session reconvened at 8:50 p.m.

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

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Regular Session reconvened at 9:31 p.m.

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**ADJOURNMENT**

Mayor Kuhl asked for a motion to adjourn.

Motion by Reiner, seconded by Gilbert

**MOTION UNANIMOUSLY CARRIED**

Meeting adjourned at 9:31 p.m.

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Respectfully submitted,



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Lisa Fania, RMC  
Township Clerk



Raritan Twsp Police Department  
Two Municipal Drive  
Flemington, NJ 08822  
ATTN: Police Chief Al Payne

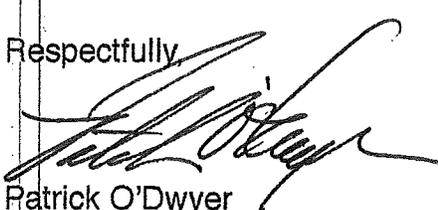
February 25, 2019

Please express my thanks and appreciation for the extra time and professional displayed by Ptmn Alexander Soh#76 and Detective Todd Iglay#55. I was impressed with their conduct and ability. They are a credit to your command and operation.

Further, they along with the Township clerk Lisa Fania (?) assisted a grandmother and widow in a time of need and concern over several incidents related to the sudden death of her husband expiring from a motor vehicle crash in 2017. If not for their immediate ability and confidence on February 22, 2019, we could not further our investigation and provide the answers needed for her family to include her grandchildren.

I can be reached for personal comment at the information provided, but recognize that the details surrounding the death and accident itself will not be discussed until administrative waivers are reached in the closure of this case. However, the level of service provided during a busy week did not go unnoticed by my associates and this victim's family. I would also explain that I did not obtain the Raritan Township employee roster to gather the correct spelling of the names provided in this written correspondence or I would have called them personally on the family's behalf.

Respectfully,



Patrick O'Dwyer  
Principal Investigator  
Iron Gate Security, LLC  
PO Box 38  
Colts Neck, NJ 07722-0038 USA  
Cellular contact 732-874-2734