

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
WEDNESDAY, JUNE 5, 2019**

MEETING CALLED: Mayor Kuhl called the regular meeting to order at 6:31 p.m.

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

ABSENT: None

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

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

Attorney, Ed Purcell, read Resolution #19-134 in full.
Mayor Kuhl asked for a motion to approve Closed Session Resolution.
Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

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

RESOLUTION #19-134

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 negotiations update |
| b) | Personnel: | Violations Clerk |
| c) | Attorney-Client Privilege: | Parks and Recreation |

- d) Pending Litigation: Affordable Housing update;
Hunterdon Medical Center PILOT program

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

The regular meeting reconvened at 7:11 p.m.

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

AMEND/APPROVE THE AGENDA

Mayor Kuhl asked for a motion to amend or approve the Agenda.
Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

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

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 Glenway Drive, commented that “decisions made to kill deer in this town were made on facts that are not true” regarding the “deer killing report” on the meeting agenda. Ms. Sachau also commented that tree growth is impacted by climate change in this area and asked for an update on the status of affordable housing.

Sharon Winnick, a resident of 20 Monsey Road, inquired about property references in Ordinance #19-14 and Resolution #19-36 on the meeting agenda.

During Public Comment, Mr. Purcell explained that the Township is currently in litigation regarding its affordable housing obligation and that is why discussions remain in closed session. He continued that once a settlement agreement is reached, a fairness hearing will be held with the Judge at which time the public may comment.

Mr. Purcell also addressed the inquiry regarding property references in Ordinance #19-14 and Resolution #19-36 advising that the Ordinance refers to Diamond Nation and the Resolution references the US Bronze site.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: **\$664,721.08**

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

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

Payment of Bills as listed for the Raritan Township Fire Company: **\$9,073.78**

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

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

RECUSE: Mangin

REPORTS

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

*Zoning Board of Adjustment 2018 Annual Report

*2018-2019 Township of Raritan Deer Harvest Report

LIAISON REPORTS

Karen Gilbert: Environmental Commission/Green Team; Open Space; Parks and Recreation; Planning Board (Class III Member)
Committee Member Gilbert announced that the Environmental Commission/Green Team is holding a rain garden clean up on June 11 at 10:00 a.m. Committee Member Gilbert also reported on a meeting of the Planning Board advising that the Board reviewed and accepted the report by Township Planner, Jessica Caldwell regarding determination of the US Bronze site as an area in need of redevelopment.

Gary Hazard: Court/Police; RTMUA
Committee Member Hazard announced that Tax Assistant, Rebekah Harms, is being promoted to Violations Clerk in the Municipal Court and advised that comments from the Township were submitted to the NJDEP regarding its proposed designation change of C1 waterways.

Jeff Kuhl: Planning Board (Class I Member); Personnel; Finance; Historians, Open Space
(Mayor)
Mayor Kuhl reported on a meeting of the Historians advising on discussion of the fall trip and the schoolhouse renovations.

Michael Mangin: Board of Health; Finance; Public Works
Committee Member Mangin advised that Public Works will be making a presentation before the Committee at a future meeting.

Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Wildlife Management Advisory Committee
(Deputy Mayor)
Deputy Mayor Reiner suggested holding quarterly vs. monthly meetings for the Wildlife Management Advisory Committee.

A brief discussion was held regarding amending the meeting frequency. Mayor Kuhl suggested canceling the meeting. Deputy Mayor Reiner to review the ordinance and advise.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Request by Three Bridges Volunteer Fire Company to hold a 5 Mile Run utilizing a portion of the Township roadways, Saturday, August 10, 2019, 9:00 a.m. – Mayor Kuhl explained that the Three Bridges Volunteer Fire Company is seeking authorization to hold a 5-mile run utilizing a portion of the Township roadways, Saturday, August 10, 2019 at 9:00 a.m. It was the consensus to approve said request subject to conditions of proof of insurance and coordination with the police department.

ORDINANCES (INTRODUCTION/FIRST READING)

There were no ordinances for introduction.

ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)

Mayor Kuhl read by title Ordinance #19-14.

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE 16 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY ENTITLED “LAND DEVELOPMENT CODE” BY AMENDING PARAGRAPH (F) OF SECTION 16.22.025 ENTITLED “ZONING MAP AMENDMENTS” OF CHAPTER 16.22 ENTITLED “ZONING DISTRICTS ESTABLISHED” AND AMENDING PARAGRAPH (B) OF SECTION 16.26H.05 ENTITLED “OUTDOOR COMMERCIAL RECREATION LIGHTING STANDARDS,” ADDING PARAGRAPH (F) TO SECTION 16.26H.030 ENTITLED “PERMITTED ACCESSORY USES,” AMENDING SECTION 16.26H.030 ENTITLED “BUFFERING,” AND ADDING SECTION 16.26H.080 ENTITLED “SCHEDULING OF EVENTS” TO CHAPTER 16.26H ENTITLED “OUTDOOR RECREATION ZONE”

Mayor Kuhl asked for a motion to open public hearing.

Motion by Reiner, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

The following members of the public spoke during the public hearing:

George Dilts, Esq., attorney for Diamond Nation, commented that the ordinance was initiated by his client, that they are very happy with the recommended changes by the Planning Board including cessation of events at 11:00 p.m. where practicable and the increased buffer where residential properties abut the fields, and asked that the Committee support the ordinance.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-14 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

ORDINANCE #19-14

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE 16 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY ENTITLED "LAND DEVELOPMENT CODE" BY AMENDING PARAGRAPH (F) OF SECTION 16.22.025 ENTITLED "ZONING MAP AMENDMENTS" OF CHAPTER 16.22 ENTITLED "ZONING DISTRICTS ESTABLISHED" AND AMENDING PARAGRAPH (B) OF SECTION 16.26H.05 ENTITLED "OUTDOOR COMMERCIAL RECREATION LIGHTING STANDARDS," ADDING PARAGRAPH (F) TO SECTION 16.26H.030 ENTITLED "PERMITTED ACCESSORY USES," AMENDING SECTION 16.26H.030 ENTITLED "BUFFERING," AND ADDING SECTION 16.26H.080 ENTITLED "SCHEDULING OF EVENTS" TO CHAPTER 16.26H ENTITLED "OUTDOOR RECREATION ZONE"

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

Section 1. Paragraph (F) of Section 16.22.025 entitled "Zoning Map Amendments" of Chapter 16.22 entitled "Zoning Districts Established" of Title 16 entitled "Land Development Code" is amended as follows:

F. The Zoning Map shall be amended to show Block 16, Lots 14.04, 14.03, 15, 67 and 67.03 and Block 16.03, Lot 1 as being in the OR - Outdoor Recreation overlay zone.

Section 2. Paragraph (B) of Section 16.26H.05 entitled "Outdoor Commercial Recreation Lighting Standards" of Chapter 16.26H entitled "Outdoor Recreation Zone" of Title 16 entitled "Land Development Code" is amended as follows:

B. [All lighting shall be extinguished after 11 p.m.] All outdoor uses shall be closed from 12:00 a.m. to 6:00 a.m. of every day and all lighting extinguished other than security lighting and lighting for the safe exit of patrons and employees. This revised lighting standard shall take precedence over any prior ordinances or resolutions.

Section 3. Section 16.26H.030 entitled "Permitted Accessory Uses" of Chapter 16.26H entitled "Outdoor Recreation Zone" of Title 16 entitled "Land Development Code" is amended through the addition of Paragraph (F) as follows:

F. Existing single-family dwellings may continue to be used for residential purposes. Notwithstanding the foregoing, any such single-family dwelling, and any part thereof, within the boundaries of the OR Zone as that zone was configured on the effective date of Ordinance 19-14, may be leased or rented as sleeping accommodations to individuals engaged or involved with the principal permitted use of the Outdoor Recreation Zone. This subparagraph shall not permit such accessory uses, as set forth above, in any properties included within the OR Zone after the effective date of Ordinance 19-14.

Section 4. Section 16.26H.030 entitled “Buffering” of Chapter 16.26H entitled “Outdoor Recreation Zone” of Title 16 entitled “Land Development Code” is amended as follows:

All outdoor commercial recreation uses shall be treated as a medium intensity commercial use for the purposes of determining the required bufferyards. Where the zone abuts a residential zone, the Higher Intensity Residential buffer standards in Table 1 shall apply. (see Section 16.20.040).

Section 5. Chapter 16.26H entitled “Outdoor Recreation Zone” of Title 16 entitled “Land Development Code” is amended through the addition of Section 16.26H.080 entitled “Scheduling of Events” as follows:

All events shall be scheduled to cease at 11:00 p.m. where practicable.

Section 6. 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 7. 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 8. All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 9. Pursuant to N.J.S.A. 40:55D-62.1, The Township Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this ordinance to the owners of all real property as shown on the current tax duplicates located within the district and within the State within 200 feet in all directions of the boundaries of the district. The municipal clerk shall also provide notice to the Office of Planning Advocacy and to any military facility commander who has registered with the municipality pursuant to N.J.S.A. 40:55D-12.4 at least ten (10) days prior to the hearing by personal service or certified mail.

Pursuant to N.J.S.A. 40:55D-15, notice by personal service, certified mail or email with confirmation that the email was delivered, shall be made to the Hunterdon County Planning Board and to the clerk of an adjoining municipality of all hearings on the adoption, revision or amendment of the zoning ordinance involving property situated within 200 feet of such adjoining municipality at least ten (10) days prior to such hearing. The notice provided pursuant to N.J.S.A. 40:55D-15 shall include a copy of this ordinance.

Notice provided as set forth herein shall state the date, time and place of the hearing, the nature of the matter to be considered and an identification of the affected zoning districts and proposed boundary changes by street names, common names or other identifiable landmarks, and by reference to lot and block numbers as shown on the current tax duplicate in the municipal tax assessor's office.

Notice shall also be given by (1) serving a copy on the property owner as shown on the current tax duplicate, or his agent in charge of the property, or (2) mailing a copy by certified mail and regular mail to the property owner at his or her address as shown on the current tax duplicate. Notice to a partnership owner may be made by service upon any partner. Notice to a corporate owner may be made by service upon its president, a vice president, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation. Notice to a condominium association, horizontal property regime, community trust or homeowners' association, because of its ownership of common elements or areas located within 200 feet of the boundaries of the district which is the subject of the hearing, may be made in the same manner as to a corporation, in addition to notice to unit owners, co-owners, or homeowners on account of such common elements or areas.

The Township Clerk shall execute affidavits of proof of service of the notices required by this section, and shall keep the affidavits on file along with the proof of publication of the notice of the required public hearing on the proposed zoning ordinance change. Costs of the notice provision shall be the responsibility of the proponent of the amendment.

Section 10. 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.

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

Mayor Kuhl read by title Ordinance #19-18.

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

Mayor Kuhl asked for a motion to open public hearing.

Motion by Hazard, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

The following members of the public spoke during public comment:

Sharron Winnick, a resident of 20 Monsey Road, asked if the ordinance was for retired police officers.

Mayor Kuhl clarified that the ordinance amends the compensation for outside employment of off-duty police officers with no change in rate for the schools.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-18 on final consideration, same to be published according to law.

Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

ORDINANCE 19-18

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

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

Section 1. Paragraph (A) of Section 2.56.190 entitled "Outside Employment of Off-Duty Police Officers-Compensation" of Chapter 2.56 entitled "Police Department" of Title 2 entitled "Administration and Personnel" of the Township Code is amended and supplemented through the following revisions:

Any off-duty police officer hired for outside employment shall be compensated at the rate set forth in the "Outside Employment" provision of the current PBA 337 and PBA 337A collective negotiations agreements. The current rates for outside employment are \$75 per hour for the Hunterdon County Regional High School District and the Flemington-Raritan Regional School District (K-8), and \$90[85] per hour for all other employment.

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

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

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

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

CORRESPONDENCE

There was no correspondence.

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of May 21, 2019.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: Hazard

ABSENT: None

Township Committee Executive Session Meeting Minutes

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes of May 21, 2019 #1 and #2

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: Hazard

ABSENT: None

RESOLUTIONS

Mayor Kuhl read Resolution #19-135 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-135.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-135

A RESOLUTION AUTHORIZING THE MAYOR AND TOWNSHIP CLERK TO EXECUTE AN ASSIGNMENT AND ASSUMPTION AGREEMENT FOR WASTEWATER TREATMENT CAPACITY FOR THE PROVISION OF AFFORDABLE HOUSING WITH RARITAN JUNCTION, LLC

WHEREAS, The Township of Raritan (“Township”) has an obligation to meet certain affordable housing requirements as set forth in the Fair Housing Act, N.J.S.A. 52:27D-301, and by the New Jersey Supreme Court pursuant to Southern Burlington County N.A.A.C.P. v. Twp of Mount Laurel, 67 N.J. 151 (1975) (“Mount Laurel I”) and its progeny; and

WHEREAS, the Township has filed a declaratory judgement action pursuant to the New Jersey Supreme Court’s decision in IMO the Adoption of N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015); and

WHEREAS, the Township is attempting to settle this matter on favorable terms, the result of which will be that affordable units will be developed within the sewer service area and will need to be served by the RTMUA; and

WHEREAS, the Township has obtained wastewater treatment capacity by way of an Agreement for Wastewater Treatment Capacity for the Provision of Affordable Housing with the Raritan Township Municipal Utilities Authority which was approved by the Township on December 4, 2018 by way of Resolution 18-234 for 69,000 gpd/230 EDUs which is attached hereto as Exhibit “A;” and

WHEREAS, of that capacity, the Township has 27,600 gpd/92 EDUs remaining (“Remaining Capacity”); and

WHEREAS, to ensure that said Remaining Capacity is used for affordable housing purposes, the Township must also enter into an Assignment and Assumption Agreement for Wastewater Treatment Capacity for the Provision of Affordable Housing with Raritan Junction, LLC, a developer of affordable housing in the Township.

NOW, THEREFORE BE IT RESOLVED, on this 5th day of June, 2019, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that:

1. The Mayor and Township Clerk are authorized to execute the Assignment and Assumption Agreement for Wastewater Treatment Capacity for the Provision of Affordable Housing attached hereto as Exhibit “B.”

Mayor Kuhl read Resolution #19-136 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-136.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-136

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY DESIGNATING APPROXIMATELY 22 ACRES KNOWN AS BLOCK 40, LOT 4 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN AS A “NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT” UNDER THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1 ET SEQ.)

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”) authorizes municipalities to determine whether certain parcels of land within the municipality constitute a “non-condemnation area in need of redevelopment” as described in Section 5 of the Redevelopment Law; and

WHEREAS, to determine whether a certain parcel of land constitutes an area in need of redevelopment, the Township Committee of the Township of Raritan (the “Township Committee”) by way of Resolution No. 2019-92, dated March 19, 2019, authorized and directed the Township of Raritan Planning Board (the “Board”) to conduct a preliminary investigation to determine whether the area identified as Block 40, Lot 4 as shown on the Tax Map of the Township of Raritan consisting of approximately 22 acres (the “Study Area”), meets the criteria set forth in Section 5 of the LRHL and should be designated as a “non-condemnation area in need of redevelopment”; and

WHEREAS, the Board authorized the undertaking of the preliminary investigation as to whether the Study Area, or any portion thereof, constitutes an area in need of redevelopment in accordance with the LRHL; and

WHEREAS, the LRHL requires the Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as “an area in need of redevelopment”, at which hearing the Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the LRHL requires that the Board, prior to conducting such public hearing, publish notice in a newspaper of general circulation in the Borough once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, the LRHL further requires that such notice be mailed at least ten (10) days prior to such public hearing to the last owner(s) of the relevant properties in accordance with the Township’s assessment records; and

WHEREAS, the Board held a public hearing (the “Public Hearing”) to determine whether the Study Area is a “non-condemnation area in need of redevelopment” under the criteria set forth in Section 5 of the LRHL at a regular meeting of the Board on May 29, 2019; and

WHEREAS, notice of the Public Hearing was provided in the official newspaper of the Township on two consecutive weeks, the last being not less than ten (10) days before the Public Hearing; and

WHEREAS, the Board also provided notice to property owners in the Study Area; and

WHEREAS, at the Public Hearing, Jessica Caldwell, P.P, A.I.C.P. of J. Caldwell & Associates, Inc. presented a report dated May 3, 2019 entitled “Area In Need of Redevelopment Study, United States Bronze Powders, Inc., Block 40, Lot 4- 408 US Route 202;” and

WHEREAS, at the Public Hearing, the Board reviewed the Report and considered the testimony of Ms. Caldwell; and

WHEREAS, the Board also gave members of the public an opportunity to speak and ask questions related to this matter; and

WHEREAS, after the conclusion of the Public Hearing, and in consideration of the Report and the substantial and credible testimony presented, the Board, on May 29, 2019, by unanimous voice vote, determined that the Study Area met one or more criteria to designate the Study Area as an “area in need of redevelopment”, which was memorialized by way of PB Resolution 11-2019 which is attached hereto as Exhibit “A;” and

WHEREAS, the Township Committee agrees with the recommendation of the Board that the Study Area be designated as a “non-condemnation area in need of redevelopment” pursuant to the LRHL; and

WHEREAS, the Township Committee now desires to authorize and direct Jessica Caldwell, P.P., A.I.C.P., to prepare a draft redevelopment plan for the Study Area and to present same to the Township Committee for its consideration.

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

1. The Township Committee hereby designates Block 40, Lot 4 as shown on the Tax Map of the Township of Raritan consisting of approximately 22 acres, as a “non-condemnation area in need of redevelopment” (the “Determination”) pursuant to the LRHL.
2. The Determination shall authorize the Township of Raritan to use all of the powers provided by the Legislature for use in a redevelopment area excluding the use of eminent domain, thus designating it a “Non-Condensation Redevelopment Area”.

3. The Township Clerk is hereby directed to transmit a certified copy of this Resolution by regular and certified mail to the Commissioner of Community Affairs (the "Commissioner") for review. The Determination of the Study Area as a "non-condemnation area in need of redevelopment" shall not take effect without first receiving the review and approval of the Commissioner. If the Commissioner does not issue an approval or disapproval within thirty (30) calendar days of transmittal, the Determination shall be deemed to be approved.
4. Notice of the Determination (the "Notice") shall be served within ten (10) days of the Determination, upon all record owners of property located within the delineated area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which the notice of Determination may be sent.
5. A property owner who received notice of the Determination as set forth above who does not file a legal challenge to the Determination affecting his or her property within 45 days of receipt of such notice shall thereafter be barred from filing such a challenge.

Mayor Kuhl read Resolution #19-139 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-139.

Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

RECUSE: Mangin

RESOLUTION #19-139

**A RESOLUTION AUTHORIZING THE TRANSFER OF OWNERSHIP
OF THE 2019 FORD AMBULANCE TO THE
FLEMINGTON-RARITAN FIRST AID AND RESCUE SQUAD**

WHEREAS, the Township of Raritan has purchased a 2019 Ford Ambulance for use by the Flemington-Raritan First Aid and Rescue Squad; and

WHEREAS, a license for Basic Life Support Ambulance issued by the New Jersey Office of Emergency Medical Services, New Jersey Department of Health is required for the registration of Passenger Vehicle Transportation (PVT) vehicles by the New Jersey Motor Vehicle Commission; and

WHEREAS, the Flemington-Raritan First Aid and Rescue Squad has been issued said license January 1, 2019; and

WHEREAS, the Township of Raritan does not hold such licensure; and

WHEREAS, the transfer of ownership of the 2019 Ford Ambulance is necessary due to the licensure requirement for registration so the vehicle can be operational.

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 2019 Ford Ambulance is authorized to be sold to the Flemington-Raritan Township First Aid and Rescue Squad for \$1.00.

Mayor Kuhl read Resolution #19-140 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-140.

Motion by Hazard, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-140

A RESOLUTION AUTHORIZING THE PROMOTION OF REBEKAH HARMS TO THE POSITION OF FULL-TIME VIOLATIONS CLERK

WHEREAS, there exists a vacancy in the Court Office for the position of Violations Clerk; and

WHEREAS, the position was posted internally and a qualified and viable candidate submitted a resume; and

WHEREAS, the Administrator and the Court Administrator interviewed and recommend that Rebekah Harms be promoted to the position of full-time Violations 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 Rebekah Harms is hereby promoted to the position of full-time Violations Clerk at an annual salary of \$38,500.00 effective June 6, 2019.

Raritan Township Fire Company Application – Noah Primiani

Mayor Kuhl asked for a motion to approve the Fire Company application for Noah Primiani.

Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: None

RECUSE: Mangin

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

RESOLUTION #19-137

**A RESOLUTION APPROVING THE RENEWAL OF
ALCOHOLIC BEVERAGE LICENSES FOR 2019-2020**

WHEREAS, the applications and all required state and municipal fees have been received for the renewal of the Retail Alcoholic Beverage Licenses for 2019-2020; and

WHEREAS, the applications have been reviewed by the Township Clerk and Police Department and recommends the renewal of the following retail alcoholic beverage licenses for the year 2019-2020.

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that applications for the renewal of the following alcoholic beverage licenses for the year 2019-2020 are hereby approved; and

BE IT FURTHER RESOLVED, that the Municipal Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey is hereby authorized and instructed to issue and deliver said licenses on or before June 30, 2019:

**PLENARY RETAIL CONSUMPTION LICENSES
EFFECTIVE JULY 1, 2019**

STATE ISSUED LICENSE NUMBER	LICENSEE	TRADE NAME	ADDRESS
1021-33-003-006	Apple Food Service of Flemington, LLC	Applebees	244 Route 202/31 Flemington, NJ 08822
1021-33-013-002	ANTSUL-BWW VI, LLC	Buffalo Wild Wings	144 Route 31 Suite 100 Flemington, NJ 08822
1021-33-014-004	CRI Flemington, Inc.	Chimney Rock Inn	41 Route 31 Flemington, NJ 08822

1021-33-015-003	Rare Hospitality International, Inc.	Longhorn Steakhouse	138 Route 31 North Flemington, NJ 08822
1021-33-002-005	Skip Little, Inc.	Jake's Restaurant & Bar	253 Route 202/31 S Flemington, NJ 08822

**PLENARY RETAIL DISTRIBUTION LICENSES
EFFECTIVE JULY 1, 2019**

STATE ISSUED LICENSE NUMBER	LICENSEE	TRADE NAME	ADDRESS
1021-44-010-006	Penns Raritan, Inc.	Raritan Wine and Spirits	14 Commerce St. Flemington, NJ 08822

**CLUB LICENSES
EFFECTIVE JULY 1, 2019**

STATE ISSUED LICENSE NUMBER	LICENSEE	TRADE NAME	ADDRESS
1021-31-005-001	Copper Hill Golf Club, Inc.	Same	100 Copper Hill Road Ringoes, NJ 08551
1021-31-006-001	Croton Rod & Gun Club, Inc.	Same	31 Rake Road Flemington, NJ 08822
1021-31-007-003	Flemington Lodge 1928 BPO Elks Clubhouse	Same	165 Route 31 S Flemington, NJ 08822

RESOLUTION #19-138

**A RESOLUTION AUTHORIZING THE REFUND
OF PET LICENSE FEES**

WHEREAS, William Tackett has paid a pet license fee on April 24, 2019 in the amount of \$12.00; and

WHEREAS, Ellen Cavalla has paid a pet license fee on April 26, 2019 in the amount of \$12.00; and

WHEREAS, William Tackett and Ellen Cavalla have requested a refund of a pet license fee due to the passing of the pet; and

WHEREAS, Lisa Fania, Municipal Clerk, recommends the refund of pet license fees in the amount of \$12.00 to each respectively.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that a pet license fee in the amount of \$12.00 paid by William Tackett and Ellen Cavalla, respectively, is hereby refunded.

RESOLUTION #19-141

**A RESOLUTION AUTHORIZING THE RETURN OF
PERFORMANCE GUARANTEE
(MESSICK PLUMBING)**

WHEREAS, Michael J. Messick Plumbing & Heating, Inc. posted a Performance Surety Bond on April 26, 2019 in the amount of \$600.00 (#B1215296); and

WHEREAS, Michael J. Messick Plumbing & Heating, Inc. requested the return of the bond; and

WHEREAS, the Township Engineer recommends the return of Bond #B1215296.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Bond #B1215296 in the amount of \$600.00 is hereby released and returned to Michael J. Messick Plumbing & Heating, Inc.

RESOLUTION #19-142

**A RESOLUTION AUTHORIZING THE RETURN
OF A PAYMENT IN LIEU OF ROADS (CAIRL)**

WHEREAS, Ian Cairl posted a payment in lieu of road improvements for 93 Rake Road of \$3,694.00 in 2009; and

WHEREAS, Ian Cairl has requested return of said payment in lieu of roads; and

WHEREAS, improvements not started within ten (10) years of the date of the agreement; or not completed within twelve (12) years of the date of the agreement, the monies or unused portion thereof plus the interest shall be returned to the applicant.

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 payment in lieu of roads posted in the amount of \$3,694.00 by Ian Cairl is hereby returned with any accrued interest.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenway Drive, asked for clarification of the hearing for the C1 proposal.

During Public Comment, Mayor Kuhl and Mr. Purcell clarified that there is no public hearing regarding the C1 proposal, only a public comment period. Committee Member Hazard corrected his earlier comment regarding the C1 waterway matter, stating that there was only a public comment period, not a public hearing. Committee Member Hazard also commented, "this is hastily done by the Governor and the NJDEP. They did not allow us to do any study and they did not provide data nor the science behind it and they have not responded to the OPRA requests submitted."

ADJOURNMENT

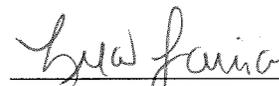
Mayor Kuhl asked for a motion to adjourn.

Motion by Mangin, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 7:38 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk