

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING  
RARITAN TOWNSHIP MUNICIPAL BUILDING  
TUESDAY, MARCH 19, 2019**

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

**ROLL CALL:** The following were present: Mayor, Jeff Kuhl; Deputy Mayor, Louis Reiner; Comm. Karen Gilbert (arrived at 6:35 p.m.); Comm. Gary Hazard; Comm. Michael Mangin

**ABSENT:** None.

**ALSO PRESENT:** Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Township Attorney, Ed Purcell; Chief Financial Officer, Bill Pandos

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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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At this time, Mr. Hutchins advised of one additional item to Personnel of the Closed Session Resolution, police department personnel.

Attorney, Ed Purcell, read Resolution #19-76 in full.

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

Motion by Hazard, seconded by Reiner

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #19-76**

**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: Flemington-Raritan School District -  
Class III Officers
- b) Personnel: Department of Public Works Personnel;  
Police Department Personnel
- c) Attorney-Client Privilege:
- d) Pending Litigation: Affordable Housing; OPRA complaint –  
African American Data & Research Institute; Izzo  
V. Township of Raritan

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 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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**AMEND/APPROVE THE AGENDA**

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

Committee Member Reiner requested that Ordinance #19-07, 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” be advanced for action prior to Unfinished Business Item A: Township Committee appointment of Planning Board or Board of Adjustment Member to the Local Historians Committee.

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

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

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**PROCLAMATION – EAGLE SCOUT AWARD** (Jeffrey Joseph Staudt) – Mayor Kuhl invited Jeffrey Joseph Staudt to the dais. Mayor Kuhl recognized Jeffrey for his outstanding achievement and read the following proclamation into the record.

**A PROCLAMATION HONORING JEFFREY JOSEPH STAUDT  
FOR THE ACHIEVEMENT OF EAGLE SCOUT**

**WHEREAS**, Jeffrey Joseph Staudt of Boy Scout Troop 65 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 Jeffrey’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**, Jeffrey has devoted endless hours fulfilling the many requirements for the advancement in scouting including attaining 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**, Jeffrey has completed the planning and construction of a new enclosed announcer stand for the Hunterdon County BMX Organization’s track.

**NOW, THEREFORE BE IT PROCLAIMED** on this 17<sup>th</sup> day of March, two thousand nineteen, by the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Jeffrey Joseph Staudt, member of Boy Scout Troop 65 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 – HUNTERDON LAND TRUST – DVOOR FARM**

**Patricia Ruby**, Executive Director and **Catherine Suttle**, Director of Cultural Resources of the Hunterdon Land Trust appeared before the Committee seeking a letter of support for the Hunterdon County 2019 Historic Preservation Grant application for Dvoor Farm.

Ms. Ruby presented highlights from a handout regarding the site’s rehabilitation project that included the following:

- \*Support from numerous organizations including Raritan Township in 1999
- \*1999 Hunterdon Land Trust took title
- \*Over \$2 million invested
- \*Timeline
  - 2009 Master Plan adopted
  - 2014 Historic Site Management Plan adopted

\*Goals

Maximize public access

Care for and increase the appreciation for the natural and cultural resources on that site

Ms. Ruby explained that the grant would fund repairs of the bank barn, the structure to be converted into public assembly space with public restrooms for approximately 200 people as well as host for additional programming, kids camps and the annual Farm to Table dinner.

Ms. Suttle spoke briefly on the Historic Site Management Plan explaining that the site will provide for passive recreation including a more extensive trail network, connections to Tuccamirgan and Mine Brook Parks, and signage explaining the archeologically sensitive areas on the property and their importance.

A brief discussion was held regarding the deadline for the receipt of the letter from the Township; timing of the grant award; and public fundraising.

Ms. Suttle advised that the grant application is due to the County by March 29; that the grant award will be sometime in June; and that efforts are underway for a public fundraising site.

It was the consensus of the Committee to proceed with a letter of support on behalf of the Township. Mr. Hutchins to follow through accordingly.

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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, expressed concern regarding traffic from the Dvoor Farm rehabilitation project; inquired whether banquets and profit-making activities are permitted; voiced opposition to Resolution #s 19-79, 19-80, 19-83, 19-87; expressed dissatisfaction for the use of Township open space lands by out of town clubs; voiced opinion that use of funds for the deer enclosure was a waste of money and suggested the Committee visit the South Mountain Reservation, Eagle Rock Reservation in Essex County; and inquired about the use of Township vehicles.

During Public Comment, Mayor Kuhl advised that the Dvoor Farm site is not commercial and that the proposed restoration efforts include the relocation of the entrance from Route 12. Mr. Purcell added that, "it's supporting not-for-profit activities." Mr. Hutchins advised that the resolution regarding vehicle use on the meeting agenda authorizes use for those individuals that are on call twenty-four hours a day by the nature of their position. Mayor Kuhl further commented that it is not for personal use.

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## FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: **\$4,885,584.62**

Mayor Kuhl asked for a motion to approve the bill list for Raritan Township.  
Motion by Mangin, seconded by Hazard

### ROLL CALL VOTE:

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

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Payment of Bills as listed for the Raritan Township Fire Company: **\$1,734.37**

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

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## REPORTS

The following reports were acknowledged by the Committee:

Public Works – Snow Removal March 1, and 2, 2019  
Planning/Engineering Escrow Account – February 2019  
Animal Control – February 2019  
Court – February 2019

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## LIAISON REPORTS

Karen Gilbert: Environmental Commission/Green Team; Open Space;  
Parks and Recreation; Planning Board (Class III Member)  
Committee Member Gilbert reported on a meeting of the Parks and Recreation Committee advising that both Raritan Township and Flemington Borough Mayors were in attendance and business will remain as usual. Committee Member Gilbert continued that planning for the summer intercession and Fourth of July fireworks is underway. Committee Member

Gilbert added that there will be no capital expenditures by the Parks and Recreation Committee for 2019. Committee Member Gilbert also reported on a recent meeting of the Planning Board advising of final site plan approval for Johanna Foods to construct two warehouses. Committee Member Gilbert also announced that September 28, 2019 is the scheduled date for the annual Raritan Township Community Day. There was no report for the Environmental Commission/Green Team or Open Space Advisory Committee.

Gary Hazard:

Court/Police; RTMUA

Committee Member Hazard reported that Police and Court are running well with Judge Mennen and the new Prosecutor; and announced the upcoming meeting date for the RTMUA (March 21). Committee Member Hazard advised that the RTMUA is very active working on a lot of issues including wastewater treatment.

Jeff Kuhl:  
(Mayor)

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

Mayor Kuhl announced that the 2019 Municipal Budget will be introduced this evening; reported that the schoolhouse renovation is underway with Hunterdon County Polytech students; and that there may be a trip to Ellis Island in the fall. Mayor Kuhl also announced the upcoming meeting date of the Open Space Advisory Committee (Mar 20); and reiterated preliminary and final site plan approval for Johanna foods for two small additions of warehouse space.

Michael Mangin:

Board of Health; Finance; Public Works

Committee Member Mangin announced the upcoming meeting date of the Board of Health (March 21) advising of one septic waiver application and a presentation on Vaping by a representative of the American Cancer Society. Committee Member Mangin extended praise and gratitude to Mayor Kuhl, Mr. Pandos and Mr. Hutchins for their efforts in preparation of the 2019 Municipal Budget and announced that the public hearing and final adoption is scheduled for April 18. Committee Member Mangin reported that the Department of Public Works has completed thirteen storm drains and commended the Department's efforts as well.

Louis Reiner:  
(Deputy Mayor)

Agriculture Advisory Board; Fire/Rescue/OEM; Wildlife Management Advisory Committee

Deputy Mayor Reiner reported on a recent meeting of the Wildlife Management Advisory Committee (WMAC) advising on a consensus of members to recommend Morales Park for deer exclosure and that minutes are available in the Clerk's office. Deputy Mayor Reiner also announced that local farmers will speak on the impact of deer on local crops at the next WMAC meeting.

During Liaison Reports, Mr. Hutchins provided an update on the status of the farmland preservation plan advising that the final stages of mapping are in process.

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At this time, Mayor Kuhl requested that the Committee deviate from the scheduled agenda and take action on Ordinance #19-07.

Mayor Kuhl read by title Ordinance #19-07.

Mr. Purcell explained that a request was made upon introduction for clarification regarding whether the representative member of the Planning Board could be the Township Committee representative on the Planning Board. Mr. Purcell also advised of one additional amendment request by Committee Member Gilbert that the last sentence of the second paragraph reading, “or Board of Adjustment and no other Planning Board or Board of Adjustment member wishes to serve...” be removed.

Mr. Purcell continued that the language of the ordinance shall read, “the Local Historians Committee shall be composed of nine members, one of whom shall be a member of the Township Committee, one of whom shall be a member of the Planning Board, the representative member of the Planning Board, if any, may be a member of the Township Committee where said member is a member of the Planning Board.”

**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 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 #19-07 on final consideration, same to be published according to law as amended.

Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

**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"**

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

**Section 1.** Section 2.104.010 entitled "Establishment--Composition" of Chapter 2.104 entitled "Local Historians Committee" is amended as follows:

There is established a Local Historians Committee for the purpose of preserving the Township's heritage and increasing the education, appreciation and communication of such heritage for the enrichment of the citizens of the Township and neighboring communities.

The Local Historians Committee shall be composed of [seven] nine members, one of whom shall be a member of the Township Committee, and one of whom shall be a member of the Planning Board or Board of Adjustment. The representative member of the Planning Board, if any, may be a member of the Township Committee where said Township Committee member is a member of the Planning Board.

Of the members first appointed to the Committee, two shall be appointed for a term of one year, one for a term of two years, and one for a term of three years from the date of annual reorganization of the Township commencing in January, 2000. The Township Committee person shall be appointed by the Mayor with the advice and consent of the Township Committee. Prior to that date, the five persons appointed to the committee shall serve until the annual reorganization in January, 2000.

Annually thereafter, appointments of members whose term expire shall be for a term of three years from the date of such expiration with the exception of the Township Committee person whose term shall be one year. Vacancies in the membership of the Committee, occurring from another cause shall be promptly filled by the Township Committee, for the unexpired term thereof. Members shall serve for their respective terms and until their successors are appointed and qualified.

**Section 2.** 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 3.** All ordinances or parts of ordinances inconsistent with or in conflict with this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 4.** This Ordinance shall take effect immediately upon its final adoption and publication in accordance with the laws of the State of New Jersey.

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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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## **UNFINISHED BUSINESS**

**Township Committee appointment of Planning Board or Board of Adjustment Member to the Local Historians Committee** – Mayor Kuhl advised that no other members of the Planning Board of Board of Adjustment desired to serve on the Local Historians Committee and that Committee Member Gilbert expressed an interest in continuing to serve.

Mayor Kuhl asked for a motion to appoint Committee Member Gilbert to the Local Historians Committee.

Motion by Reiner, seconded by Mangin

### **ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

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**Wildlife Management Advisory Committee's (WMAC) recommendation of Township-owned property for deer enclosure** – Deputy Mayor Reiner, speaking as Chair of the Wildlife Management Advisory Committee, advised that the recommendation of the WMAC is for deer enclosure at Morales Park. Mayor Kuhl commented that the original request was for two sites but that the Township Committee had agreed to one pilot installation. He further commented that funding will be provided by the Hunting club fees.

It was the consensus of Committee Members to proceed with a resolution ratifying and confirming the installation of a deer enclosure at Morales Park at the next regular meeting.

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## **NEW BUSINESS**

**Request by J.P. Case Middle School PTO to hold 5K Color Fun Run/Walk utilizing a portion of Township roads, Sunday, May 5, 2019** – Mayor Kuhl explained that J.P. Case Middle School PTO is requesting to utilize a portion of Township roads for its 5K Color Fun Run/Walk Sunday, May 5. Committee Member Mangin commented that the Raritan Township Fire Company usually provides a ladder truck at the start and finish line and that Fire Police assist in the event as well. It was the consensus of the Committee to approve said request subject to the conditions of proof of insurance and coordination with the police department and fire company.

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**Draft letter of Township support for Hunterdon Land Trust grant application for Dvoor Farm** – Mayor Kuhl explained that Hunterdon Land Trust is seeking a letter in support of a grant application for the preservation of the Dvoor Farm. It was the consensus of the Committee to authorize Mayor Kuhl and Mr. Hutchins to proceed.

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**Request by Flemington Jewish Community Center to hold Farmland Bike Ride, Sunday, June 23, 2019** – Mayor Kuhl advised that the Flemington Jewish Community Center is seeking authorization to hold a Farmland Bike Ride, Sunday, June 23 through portions of Township roads. Committee Member Gilbert expressed safety concerns regarding patrons crossing Route 523 from the Municipal parking lot. Mr. Hutchins confirmed that the police department has been retained to provide assistance with pedestrian crossing of Route 523. There were no objections.

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#### **RESOLUTION #19-84 – 2019 MUNICIPAL BUDGET INTRODUCTION**

Mayor Kuhl commented, “I believe this is a really responsible budget for the town. Don and Bill thanks for all of your hard work and the rest of the Committee. We went through a lot of things, whittled things down as best we could and still have a good working budget. We are doing a lot of long-term investments...for the health of Raritan Township that we are going to realize savings from in the future. We did a lot of listening to taxpayers and in this budget we are spending \$2 million on road improvements and reconstruction and the overall increase on municipal taxes will be .009%, about \$7.05 for the average assessed home.....”

Mayor Kuhl asked for a motion to introduce Resolution #19-84 on first consideration.

Motion by Mangin, seconded by Reiner

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

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

#### **RESOLUTION INTRODUCED**

Following the vote, Deputy Mayor Reiner commented, “Just one quick comment. Also, in addition to this budget as responsible as it is...from what I have seen, by the end of 2020, from our highpoint \$19 million in overall debt when I came onto the Committee from 2015, we will be down to about \$12 million at the end of 2020. We are making substantial progress in paying down debt and all of the open space debt, to my understanding, is gone at this point.”

Mr. Hutchins referred to budget sheets, 36b, 36c, and 36d on the dais. He advised that there had been some confusion by the Auditor regarding said sheets and that it had since been reconciled. He continued that the revised sheets are to be substituted for the corresponding sheet numbers provided in the budget document in the meeting packets. Mr. Hutchins advised that the issue was with the five-year capital plan and that there was no change to the budget amounts agreed upon.

Mr. Pandos explained that there was some confusion with the current year capital plan and the categorization of projects. He continued that the Auditor thought that some of the projects were classified wrong and that some were duplicated so they omitted projects and included items that should not have been. Mr. Pandos further explained that after discussion with the Auditor, the sheets have been corrected to reflect exactly what was discussed and agreed upon by the Committee.

(A COPY OF BUDGET RESOLUTION #19-84 IS HEREWITH ATTACHED AND MADE A PART OF THESE MINUTES)

Second reading and public hearing date scheduled for April 18, 2019, 8:00 a.m.

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**ORDINANCES (INTRODUCTION/FIRST READING)**

Mayor Kuhl read by title Ordinance #19-09.

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, ACCEPTING A DEED OF EASEMENT FOR RIGHT OF WAY; ACCESS EASEMENT; CONSERVATION EASEMENT; DETENTION BASIN, DRAINAGE AND CONSERVATION EASEMENT; AND DRAINAGE EASEMENT FROM FALLONE GROUP, L.L.C.**

Mayor Kuhl asked for a motion to introduce Ordinance #19-09 on first consideration.

Motion by Mangin, seconded by Reiner

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for April 2, 2019.

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Mayor Kuhl read by title Ordinance #19-10.

**AN ORDINANCE REAPPROPRIATING \$41,259.10 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR CONTINUING SOIL/ENVIRONMENTAL REMEDIATION IN AREA OF POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY**

Mayor Kuhl asked for a motion to introduce Ordinance #19-10 on first consideration.  
Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for April 2, 2019.

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

Mayor Kuhl read by title Ordinance #19-04.

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 requested an amendment clarifying language relating to sandwich boards, omitting the words "parallel and" from Section 2, Item D, Paragraph 3, Subsection C.

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING AND SUPPLEMENTING SUB-CLAUSE 7 OF SUBSECTION A ENTITLED "PERMITS REQUIRED" OF SECTION 16.72.020 ENTITLED "PERMIT PROCEDURE;" AND SUB-CLAUSE 3 OF SUBSECTION D ENTITLED "GRAND OPENING BANNERS, CELEBRATIONS, BUNTING AND TEMPORARY SIGNS" OF SECTION 16.72.070 ENTITLED "SPECIAL SIGNS AND SIGN REGULATIONS" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN**

Mayor Kuhl asked for a motion to open public hearing.

Motion by Mangin, seconded by Gilbert

**MOTION UNANIMOUSLY CARRIED**

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-04 on final consideration, same to be published according to law, as amended.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

**ORDINANCE #19-04**

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING AND SUPPLEMENTING SUB-CLAUSE 7 OF SUBSECTION A ENTITLED “PERMITS REQUIRED” OF SECTION 16.72.020 ENTITLED “PERMIT PROCEDURE;” AND SUB-CLAUSE 3 OF SUBSECTION D ENTITLED “GRAND OPENING BANNERS, CELEBRATIONS, BUNTING AND TEMPORARY SIGNS” OF SECTION 16.72.070 ENTITLED “SPECIAL SIGNS AND SIGN REGULATIONS” OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN**

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

**Section 1** Sub-clause 7 of Subsection A entitled “Permits Required” of Section 16.72.020 entitled “Permit Procedure” is hereby supplemented and amended as follows:

Permits Required. No signs shall be erected, structurally altered, or moved without a permit issued pursuant to the provisions of this section. A permit shall not be required for the following signs provided that they meet the requirements of Section 16.72.040, and provided that each meets the stated additional requirements.

...

7. Reserved. [Temporary signs, grand opening banners and celebration bunting when in accordance with Section 16.72.070.D];

...

**Section 2** Sub-clause 3. of Subsection D entitled “Grand Opening Banners, Celebrations, Bunting and Temporary Signs” of Section 16.72.070 is hereby supplemented and amended as follows:

D. Grand Opening Banners, Celebration Bunting and Temporary Signs.

...

3. Temporary signs are permitted as notification of special events on the premises of public, fraternal, charitable or religious organizations only in accordance with Subsection D.3.a. below; temporary real estate signs only in accordance with Subsection D.3.b. below; pennants, banners (other than grand opening banners) and temporary signs on the premises of commercial establishments only in accordance with Subsection D.3.c. below; temporary signs advertising the future construction or location of a use upon a site only in accordance with Subsection D.3.d. below; and temporary signs for commercial establishments during periods of long-term public roadway construction projects in accordance with Subsection D.3.e. below.

a. Temporary public or organization signs shall be removed within five (5) days

after the event shall have taken place. No permit shall be required for such temporary sign, provided that there is only one (1) such sign per premises, the sign does not exceed thirty-two (32) square feet, and provided that the sign shall not remain in place more than four (4) weeks. Only two (2) events may be advertised by a temporary sign per calendar year. A temporary sign is not permitted on a premises that has a changeable copy sign erected upon it.

- b. Temporary signs advertising the sale or rental of the premises upon which they are located may be permitted, provided that:
  - i. The size of any such sale or rental sign shall not exceed eight (8) square feet.
  - ii. Not more than one (1) sign is placed upon any property.
  - iii. Such signs shall be promptly removed when premises are sold or rented.
- c. Pennants, a banner (other than a grand opening banner), sandwich boards, and/or a temporary ground sign are permitted accessory to a commercial establishment in the I-1, I-2, O-1, O-2, B-1, B-2, B-3, [and] B-4, and B-5 zoning districts for a total of eight (8) [six (6)] weeks in any calendar year for notification only of special events, special promotional purposes, temporary sales, grand openings, etc., provided that such pennants, banner, sandwich boards or temporary ground sign do not cause a danger to the general public in accordance with Section 16.72.050.G or otherwise impede sight triangles or foot traffic during business hours.

The total area of a banner and/or temporary ground sign shall not exceed sixteen (16) square feet in area. The height of a ground sign shall not exceed five (5) feet. Sandwich boards and temporary ground signs carrying the same message on two (2) sides shall be considered a single sign, provided that the two (2) sides are of the same size. The total square footage shall be determined by adding together both sides of the sign and dividing by two (2).

Notwithstanding the foregoing, feather signs (defined for purposes of this subsection as temporary advertising signs made of lightweight cloth that are supported by a lightweight freestanding pole or frame), are permitted accessory to a commercial establishment in the I-1, I-2, O-1, O-2, B-1, B-2, B-3, B-4, and B-5 zoning districts for a total of eight (8) weeks in any calendar year for notification of special events, special promotional purposes, temporary sales, grand openings etc., provided that said proposed feather sign : 1) shall be limited to (a) one feather sign per lot; or (b) where there are multiple tenants on one lot, one feather sign for every seventy-five (75) linear feet of road frontage; 2) shall be placed in a manner so as to ensure pedestrian safety; 3) shall not be more than twelve (12) feet in height, or greater than thirty-six (36) inches in width; 4) shall not block any windows or doors; 5) shall be secured in a manner that prevents displacement from the wind which shall be shown on a catalogue sheet setting

forth how the feather sign is anchored; and 6) shall be placed no closer than twenty (20) feet from an adjacent property line. No feather sign shall be permitted to become tattered or torn.

[ Any display of such pennants and/or banner and/or temporary ground sign shall not exceed a maximum of six (6) weeks in any calendar year.] Any display of such pennant, feather sign and/or banner and/or temporary ground sign for a period from one day to seven (1-7) consecutive days shall constitute a total display period of one (1) week.

An application for a sign permit shall be filed and approved for such pennants, banner, feather sign, sandwich board or temporary ground sign from the Township Zoning Officer before such display is permitted. [No charge shall be made for a sign permit for such pennants, banners or temporary ground sign.]. However, pursuant to Section 16.72.020A.7., no permit shall be required for temporary garage sale signs that comply with Section 16.72.050A.1.f.

**Section 3** 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 4** A copy of this Ordinance shall be forwarded, after introduction, to the Raritan Township Planning Board for a Master Plan consistency review in accordance with N.J.S.A. 40:55D-64.

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

**Section 6** This Ordinance shall take effect upon (i) filing with the Hunterdon County Planning Board in accordance with the Municipal Land Use Law; and (ii) adoption and publication in the manner required by New Jersey law.

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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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## **CORRESPONDENCE**

There was no correspondence.

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**NON-CONSENT**

**Township Committee Regular Meeting Minutes**

At this time, Municipal Clerk, Lisa Fania, advised of a correction on page 21 of the Regular Meeting Minutes of March 5, 2019. Ms. Fania explained that the vote for Resolution #19-73 reflects Committee Member Hazard voting “Yes” and as Absent and that the vote should be amended to remove Committee Member Hazard from the “yes” vote.

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of March 5, 2019 as amended.

Motion by Mangin, seconded by Gilbert

**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 #1 of March 5, 2019.

Motion by Hazard, seconded by Mangin

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes #2 of March 5, 2019.

Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** Hazard

**ABSENT:** None

**Township Committee Special Meeting Minutes**

Mayor Kuhl asked for a motion to approve the Special Meeting Minutes of March 5, 2019.  
Motion by Reiner, seconded by Gilbert

**ROLL CALL VOTE:**

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

---

Mayor Kuhl read Resolution #19-79 by title.  
Mayor Kuhl asked for a motion to adopt Resolution #19-79.  
Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**RESOLUTION #19-79**

**A RESOLUTION AWARDING A TWO-YEAR CONTRACT  
FOR THE LICENSING OF ARCHERY DEER HUNTING RIGHTS  
ON FOUR RARITAN TOWNSHIP-OWNED PARCELS**

**WHEREAS**, on February 14, 2019, Raritan Township advertised a Notice of Bid for the licensing of Archery Deer Hunting Rights on four Township-owned parcels of land in the Hunterdon County Democrat and posted same on the Township website for which said parcels are identified as follows:

1. Neshanic Preserve (Block 43, Lots 20, 24, 46; Block 59, Lots 5, 8.01)
2. Plum Brook Preserve (Block 43, Lots 3, 4)
3. Erich/Salamon Preserve (Block 85, Lot 15.01)
4. Urbach Farm (Block 7, Lot 13); and

(the “four Preserve properties”);

**WHEREAS**, four (4) sealed bids were received, opened and read in public on Wednesday, March 6, 2019 at 11:00 a.m. prevailing time; and

**WHEREAS**, the bids specify that the award of the license for archery deer hunting rights for the four Preserve properties shall be made to the responsible bidder with the highest total lump sum bid for each area; and

**WHEREAS**, the Township Administrator is satisfied with the responsibility of the bidders, and is further satisfied that the fees to be paid for the licensing of archery deer hunting rights for the four Preserve properties are reasonable bids; and

**WHEREAS**, as a result, the Township Administrator recommends the award of license agreements in accordance with the bid documents for a two-year period beginning May 1, 2019 and ending April 30, 2021, subject to the approval of the New Jersey Department of Environmental Protection, as follows:

AREA #1 – NESHANIC PRESERVE  
FAMILY AND FRIENDS HUNTING CLUB  
35 CORI STREET  
PARLIN, NJ 08859 \$7,565.00 per year

AREA #2 – PLUM BROOK PRESERVE  
FAMILY AND FRIENDS HUNTING CLUB  
35 CORI STREET  
PARLIN, NJ 08859 \$4,000.00 per year

AREA #3 – ERICH/SALAMON PRESERVE  
FAMILY AND FRIENDS HUNTING CLUB  
35 CORI STREET  
PARLIN, NJ 08859 \$4,200.00 per year

AREA #4 – URBACH FARM  
FAMILY AND FRIENDS HUNTING CLUB  
35 CORI STREET  
PARLIN, NJ 08859 \$5,005.00 per year

(hereinafter collectively known as the “highest responsible bidder”); and

**WHEREAS**, no certification of funds is required as these license agreements are revenue producing.

**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 the award of license agreements for archery deer hunting rights on the four Preserve properties in Raritan Township is hereby made, in accordance with the bid documents, to the highest responsible bidder for a two-year period beginning May 1, 2019 and ending April 30, 2021, subject to the approval of the New Jersey Department of Environmental Protection, for the amounts set forth above.

---

Mayor Kuhl read Resolution #19-80 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-80.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #19-80**

**A RESOLUTION AWARDING A TWO-YEAR CONTRACT  
FOR THE LICENSING OF ARCHERY DEER HUNTING RIGHTS  
ON SIX RARITAN TOWNSHIP-OWNED PARCELS**

**WHEREAS**, on February 14, 2019, Raritan Township advertised a Notice of Bid for the licensing of Archery Deer Hunting Rights on six Township-owned parcels of land in the Hunterdon County Democrat and posted same on the Township website for which said parcels are identified as follows:

1. Cherryville Hollow Road Preserve (Block 6.13, Lot 51)
2. Walnut Brook Preserve (Barton) (Block 13, Lot 7)
3. Walnut Brook Preserve (Levico) (Block 25, Lot 1)
4. Bushkill Brook Tributary Preserve (Block 15, Lot 59)
5. Thomason Preserve (Block 63, Lot 41)
6. Dayton Road Preserve (Block 63.14, Lot 23)

(the “six Preserve properties”); and

**WHEREAS**, three (3) sealed bids were received, opened and read in public on Wednesday, March 6, 2019 at 11:00 a.m. prevailing time; and

**WHEREAS**, the bids specify that the award of the license for archery deer hunting rights for the six Preserve properties shall be made to the responsible bidder with the highest total lump sum bid for each area; and

**WHEREAS**, the Township Administrator is satisfied with the responsibility of the bidders, and is further satisfied that the fees to be paid for the licensing of archery deer hunting rights for the six Preserve properties are reasonable bids; and

**WHEREAS**, as a result, the Township Administrator recommends the award of license agreements in accordance with the bid documents for a two-year period beginning May 1, 2019 and ending April 30, 2021, subject to the approval of the New Jersey Department of Environmental Protection, as follows:

AREA #1 – CHERRYVILLE HOLLOW ROAD PRESERVE  
QUEMBY MOUNTAIN PROTECTIVE ASSOCIATION  
221 THATCHERS HILL RD.  
FLEMINGTON, NJ 08822

\$ 660.00 per year

AREA #2 – WALNUT BROOK PRESERVE (BARTON)  
QUEMBY MOUNTAIN PROTECTIVE ASSOCIATION  
221 THATCHERS HILL RD.  
FLEMINGTON, NJ 08822

\$2,510.00 per year

AREA #3 – WALNUT BROOK PRESERVE (LEVICO)  
CROTON ROD AND GUN CLUB  
31 RAKE RD.  
FLEMINGTON, NJ 08822 \$1,025.00 per year

AREA #4 – BUSHKILL BROOK TRIBUTARY PRESERVE  
CROTON ROD AND GUN CLUB  
31 RAKE RD.  
FLEMINGTON, NJ 08822 \$ 205.00 per year

AREA # 5 – THOMASON PRESERVE  
REAVILLE SPORTSMAN ASSOCIATION  
146 BARLEY SHEAF RD.  
FLEMINGTON, NJ 08822 \$ 455.00 per year

AREA #6 – DAYTON ROAD PRESERVE  
QUEMBY MOUNTAIN PROTECTIVE ASSOCIATION  
221 THATCHERS HILL RD.  
FLEMINGTON, NJ 08822 \$ 610.00 per year

(hereinafter collectively known as the “highest responsible bidder”); and

**WHEREAS**, no certification of funds is required as these license agreements are revenue producing.

**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 the award of license agreements for archery deer hunting rights on the six Preserve properties in Raritan Township is hereby made, in accordance with the bid documents, to the highest responsible bidder for a two-year period beginning May 1, 2019 and ending April 30, 2021, subject to the approval of the New Jersey Department of Environmental Protection, for the amounts set forth above.

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Mayor Kuhl read Resolution #19-85 by title.  
Mayor Kuhl asked for a motion to adopt Resolution #19-85.  
Motion by Mangin, seconded by Hazard

**ROLL CALL VOTE:**

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

**RESOLUTION #19-85**

**A RESOLUTION AWARDING A CONTRACT FOR ANIMAL CONTROL SERVICES**

**WHEREAS**, the Local Public Contracts Law, specifically, N.J.S.A. 40A:11-4.1b (3), allows the use of competitive contracting for the operation, management or administration of Animal Control services by the Township of Raritan; and

**WHEREAS**, the Township is in need of these services; and

**WHEREAS**, the competitive contracting process was initiated by Resolution #19-61 adopted by the Township Committee on February 19, 2019; and

**WHEREAS**, on March 13, 2019 the Township received one (1) response to the Request for Proposals for the operation, management or administration of Animal Control services as follows:

VENDOR	ANNUAL FEE YR 1	ANNUAL FEE YR 2	ANNUAL FEE YR 3
ANIMAL CONTROL SOLUTIONS, LLC	\$21,420.00	\$21,852.00	\$22,296.00

IN ADDITION ARE COST PROPOSALS FOR ANCILLARY SERVICES AS REQUESTED IN PROPOSAL AND ATTACHED HERETO AS EXHIBIT "A"

**WHEREAS**, the Township Administrator prepared a report consistent with N.J.S.A. 40A:11-4.5d, which report is attached to this Resolution and was made available to the public for inspection; and

**WHEREAS**, the report recommends an award to Animal Control Solutions, LLC for three (3) years for the sum of \$65,388.00 for the period from April 1, 2019 to March 31, 2022; and

**WHEREAS**, the Township Chief Financial Officer certified that funds are available in the 2019 budget for \$21,420.00 for year one of a three-year contract by Certificate of Availability of Funds #19-05.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and the Township Committee of the Township of Raritan, in the County of Hunterdon, State of New Jersey that the Mayor is authorized to execute a contract, as follows:

1. That a contract be awarded to Animal Control Solutions, LLC, 2 Marshall Drive, Flemington, New Jersey 08822, year one \$21,420.00, year two \$21,852.00 and year three \$22,296.00 for the total sum of \$65,388.00 for the period April 1, 2019 to March 31, 2022 and for all ancillary cost proposals as contained and attached hereto as Exhibit "A"
2. The contract may be extended for two one-year periods at the option of the Township for \$22,740.00 year four (4) and \$23,196.00 year five (5).
3. That the Clerk publish notice of this award with the information required by N.J.S.A 40a:11-4.5g.

4. The Annual fee shall be paid in monthly installments of 1/12<sup>th</sup> of the total annual fee for each of the three years of the contract. All other ancillary fees to be paid within 30 days upon receipt of invoice for services rendered.
5. This Resolution shall take effect immediately.

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Mayor Kuhl read Resolution #19-86 by title.  
Mayor Kuhl asked for a motion to adopt Resolution #19-86.  
Motion by Mangin, seconded by Gilbert

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #19-86**

**A RESOLUTION AUTHORIZING THE PURCHASE OF A 2019 CHEVROLET TAHOE  
SSV 5W4 WITH EMERGENCY SERVICES PACKAGE FOR THE OFFICE OF  
EMERGENCY MANAGEMENT**

**WHEREAS**, the Township of Raritan is in need of a vehicle for the Office of Emergency Management; and

**WHEREAS**, Mall Chevrolet, 79 Haddonfield Road, Cherry Hill, New Jersey 08002 has been awarded contract #17/18-44 extended to December 31, 2019 for Cars, Trucks, Crossover/SUV's, through the Educational Services Commission of New Jersey (ESCNJ) CO-OP of which Raritan Township is a member of; and

**WHEREAS**, the Office of Emergency Management Coordinator recommends the purchase of one 2019 Chevrolet Tahoe SSV 5W4 with Emergency Services Package under ESCNJ CO-OP Contract #17/18-44 extended through December 31, 2019; and

**WHEREAS**, the cost of this will be at the bid price as documented by the ESCNJ CO-OP for the amount of \$40,000.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of funds #19-07 for the purchase of said vehicle.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that it authorizes procurement of one new 2019 Chevrolet Tahoe SSV 5W4 with Emergency Services Package from Mall Chevrolet, 75 Haddonfield Road, Cherry Hill, New Jersey 08002 through the Educational Services Commission of New Jersey CO-OP Contract #17/18-44 extended through December 31, 2019 for the sum of \$40,000.00.

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Mayor Kuhl read Resolution #19-87 by title.

Mr. Hutchins advised of one amendment to the proposed resolution, the additional language, “designated officer” to the “Shared Vehicle” for the Raritan Township Volunteer Fire Company.

Mayor Kuhl asked for a motion to adopt Resolution #19-87 as amended.

Motion by Hazard, seconded by Gilbert

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RECUSE:** Mangin

**RESOLUTION #19-87**

**A RESOLUTION AUTHORIZING USE OF TOWNSHIP VEHICLES BEYOND  
NORMAL BUSINESS HOURS TO DESIGNATED EMPLOYEES**

**WHEREAS**, the Township of Raritan recognizes that certain designated employees, as determined by the Township Administrator, with the advice and consent of the Township Committee, may be required to be available and on call beyond normal business hours, for emergencies and other Township responsibilities; and

**WHEREAS**, these employees have a need to be able to respond in an efficient and timely manner; and

**WHEREAS**, the Township of Raritan recognizes that allowing these employees the use of Township-owned vehicles beyond normal business hours will be in the best interests and safety of the residents of the Township of Raritan.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Raritan, County of Hunterdon, New Jersey that the Township Administrator, consistent with his duties under Chapter 2.12 of The Revised General Ordinances of the Township of Raritan, and with the advice and consent of the Township Committee, may authorize the use of Township vehicles for certain designated employees who are required to be available and on call for emergencies and other Township responsibilities beyond normal Township business hours.

**BE IT FURTHER RESOLVED**, that the employees in the following positions have been designated and authorized by the Township Administrator, with the consent of the Township Committee, to use Township vehicles beyond normal working hours;

Superintendent of Public Works  
Road Foreman Public Works  
Vehicle Maintenance Foreman Public Works  
Building and Grounds Foreman Public Works

Shared Vehicle      Fire Marshal  
                            Deputy Fire Marshal  
                            Fire Inspector

Township Engineer  
Chief of Police  
Police Department Captain  
Two - Police Department Lieutenant  
Two - Police Department Detective  
Police Department Detective Sargent

Shared Vehicle        OEM Coordinator  
                              Deputy OEM Coordinator

Shared Vehicle        Raritan Township Volunteer Fire Company  
                              Chief  
                              Deputy Chief  
                              Assistant Chief

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Mayor Kuhl read Resolution #19-88 by title.

Mr. Hutchins advised of one amendment to Section 7 A. of Exhibit A, Motor Vehicle Policies and Procedures, of the proposed resolution the additional language “and/or designated officer.”

Mayor Kuhl asked for a motion to adopt Resolution #19-88 as amended.  
Motion by Gilbert, seconded by Reiner

**ROLL CALL VOTE:**

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

**RESOLUTION #19-88**

**A RESOLUTION APPROVING AN AMENDMENT TO THE RARITAN  
TOWNSHIP PERSONNEL POLICIES AND PROCEDURES MANUAL**

**WHEREAS**, it is the policy of the Township of Raritan to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to, Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the ADA Amendments Act of 2008, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Workers' Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA), the New Jersey Security and Financial Empowerment Act and the Open Public Meetings Act; and

**WHEREAS**, the Township Committee has established a Personnel Policies and Procedures Manual (the “Manual”) by Resolution 17-249; and

**WHEREAS**, the Township Committee at its sole discretion may amend and supplement the Manual at any time; and

**WHEREAS**, the Administrator has recommended to the Township Committee that the Motor Vehicle Policy and Procedures, Appendix A-4 of the Personnel Policy and Procedures Manual be amended; and

**WHEREAS**, the Township Committee wishes to amend the Motor Vehicle Policy and Procedures, Appendix A-4.

**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 the Motor Vehicle Policy and Procedures, Appendix A-4, of the Township of Raritan Personnel Policies and Procedures Manual be amended as attached hereto.

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Mayor Kuhl read Resolution #19-89 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-89.

Motion by Reiner, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #19-89**

**A RESOLUTION AUTHORIZING THE 2019 APPOINTMENT OF MEMBERS TO THE EMERGENCY MANAGEMENT PLANNING COUNCIL**

**WHEREAS**, the Township of Raritan is required to have an Emergency Operations Plan to provide for actions to be taken to mitigate, prepare for, respond to and recover from the effects of an emergency; and

**WHEREAS**, the members of the Emergency Management Planning Council must be appointed by resolution of the governing body.

**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 following individuals are hereby appointed as members of the Emergency Management Planning Council for a one-year term, effective March 19, 2019:

Chris Phelan	OEM Coordinator or his designee
Tony Venezia	Deputy OEM Coordinator
Frank Venezia	Deputy OEM Coordinator
Ed Jakubowski	CERT Coordinator
Alfred Payne	Chief of Police or his designee
Keith Paradiso	Fire Chief or his designee
Tom Hoffman	EMS Rescue Chief or his designee

Chris Hunt	Hunterdon Medical Center or his designee
Brion Fleming	Public Works Superintendent or his designee
Dennis Concannon	Fire Marshal or his designee
Don Hutchins	Township Administrator
Mary Melfi	Flemington Borough Emergency Management Coordinator
Brayden Fahey	Hunterdon County OEM or his designee

Mayor Kuhl read Resolution #19-90 by title.  
 Mayor Kuhl asked for a motion to adopt Resolution #19-90.  
 Motion by Hazard, seconded by Gilbert

**ROLL CALL VOTE:**

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

**RESOLUTION #19-90**

**A RESOLUTION AUTHORIZING  
 EMERGENCY TEMPORARY APPROPRIATION #3**

**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 Property OE		\$20,000.00
Vehicle Maintenance		\$25,000.00
Totals		\$45,000.00
	<b>GRAND TOTAL:</b>	<b>\$45,000.00</b>

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

Mayor Kuhl read Resolution #19-92 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-92.

Motion by Reiner, seconded by Hazard

**ROLL CALL VOTE:**

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

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #19-92**

**A RESOLUTION AUTHORIZING THE TOWNSHIP OF RARITAN PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION FOR THE REDEVELOPMENT OF BLOCK 40, LOT 4 AS SHOWN ON THE TOWNSHIP OF RARITAN TAX MAP AS A NON-CONDEMNATION REDEVELOPMENT AREA**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* provides a mechanism to empower and assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Local Redevelopment and Housing Law sets forth specific procedures for establishing an area in need of redevelopment; and

**WHEREAS**, pursuant to *N.J.S.A. 40A:12A-6*, prior to the Township Committee making a determination as to whether a particular study area qualifies as an area in need of redevelopment, the Township Committee must authorize the Raritan Township Planning Board, by Resolution, to undertake a preliminary investigation to determine whether the subject area meets the criteria of an area in need of redevelopment as set forth in *N.J.S.A. 40A:12A-5*; and

**WHEREAS**, the New Jersey Legislature amended the Local Redevelopment and Housing Law on September 6, 2013 to expand and clarify various provisions of same; and

**WHEREAS**, as required by the amendment to *N.J.S.A. 40A:12A-6*, the Legislature has directed that the Resolution authorizing the Planning Board to undertake a preliminary investigation state whether the redevelopment area determination shall authorize the Township to use all of those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (“Non-Condensation Redevelopment Area”); and

**WHEREAS**, the redevelopment area determination shall authorize the Township of Raritan to use all of the powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain, thus designating it a Non-Condensation Redevelopment Area; and

**WHEREAS**, the Township of Raritan wishes to direct the Raritan Township Planning Board to undertake a preliminary investigation to determine whether the proposed study area known as Block 40, Lot 4 as shown on the Raritan Township Tax Map qualifies as an area in need of redevelopment pursuant to *N.J.S.A. 40A:12A-5*.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Raritan, in the County of Hunterdon, State of New Jersey, that the Raritan Township Planning Board is hereby directed to conduct the necessary preliminary investigation, including the holding of a public hearing, to determine whether the study area identified above is or is not an area in need of redevelopment under the criteria set forth in *N.J.S.A. 40A:12A-1 et seq.*; and

**BE IT FURTHER RESOLVED** that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

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## **Raritan Township Fire Company Applications**

### **1. Nicholas Brunetti**

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

**ROLL CALL VOTE:**

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

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### **2. Tonya Gruchacz**

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

**ROLL CALL VOTE:**

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

At this time, Deputy Mayor Reiner requested the removal of resolution 19-93.

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

**ROLL CALL VOTE:**

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

**RESOLUTION #19-77**

**A RESOLUTION AUTHORIZING THE ACCEPTANCE OF  
DONATION OF AMMUNITION**

**WHEREAS**, Walmart of Raritan Township, has expressed interest in donating one box of 9mm ammunition to the Raritan Township Police Department; and

**WHEREAS**, Chief Albert Payne has expressed his desire to accept this donation to the Township Committee; and

**WHEREAS**, the Mayor and Township Committee wishes to accept this donation to the Raritan Township Police Department.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey hereby authorizes that the donation of one box of 9mm ammunition be accepted for range use by the Raritan Township Police Department.

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**RESOLUTION #19-78**

**A RESOLUTION IN SUPPORT OF THE HUNTERDON COUNTY RESOLUTION  
CALLING FOR AN AMENDMENT TO THE NEW JERSEY CONSTITUTION  
TO STOP THE DIVERSION OF 9-1-1 FEES TO NON 9-1-1 USES**

**WHEREAS**, Hunterdon County's 9-1-1 Communications Center serves all law enforcement units, volunteer fire companies and rescue squads, and other emergency responders in the County from a centralized facility, and has a long, established record of service excellence and saving lives; and

**WHEREAS**, the State of New Jersey collects a fee of 90 cents for each phone in the state for the purpose of providing funding to county and local 9-1-1 centers, totaling \$120 million per year, but diverts those fees to uses other than local 9-1-1 center costs; and

**WHEREAS**, the Hunterdon County Board of Chosen Freeholders has consistently provided funding over the years to ensure the County's 9-1-1 system is maintained with the latest technological advances, while receiving no financial support from the State 9-1-1 fund; and

**WHEREAS**, the dedication of 9-1-1 fees for use in supporting county and local 9-1-1 centers through an amendment to the state constitution will ensure the fees are used only as intended and prevent the diversion of fees.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey supports the Board of Chosen Freeholders in encouraging the members of the State Legislature representing Hunterdon County to support a constitutional amendment ensuring that 9-1-1 fees paid by the public are used for their intended purpose, to support county and local 9-1-1 centers.

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**RESOLUTION #19-81**

**A RESOLUTION RATIFYING A MEMORANDUM OF AGREEMENT  
BETWEEN THE TOWNSHIP OF RARITAN AND THE COMMUNICATION  
WORKERS OF AMERICA (CWA) LOCAL 1040**

**WHEREAS**, the Township Administrator has requested that the current stipends that employees are receiving be added into their base salary; and

**WHEREAS**, the Mayor and Township Committee of the Township of Raritan has deemed that this is beneficial to the Township of Raritan; and

**WHEREAS**, the Administrator has prepared a Memorandum of Agreement (MOA) (Exhibit A attached hereto) between the Township of Raritan and the Communication Workers of America (CWA), AFL-CIO, Local 1040.

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey hereby agrees to the terms and conditions set forth in the MOA between the Township of Raritan and the Communication Workers of America (CWA), AFL-CIO, Local 1040 specific to the employees and positions as stated in the MOA attached hereto.

This resolution shall take effect immediately.

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**RESOLUTION # 19-82**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT  
BETWEEN THE TOWNSHIP OF RARITAN AND CAPTAIN BENEDICT DONARUMA**

**WHEREAS**, the Township of Raritan ("Township") employs Benedict Donaruma ("Captain Donaruma") as Captain of Police; and

**WHEREAS**, Captain Donaruma has accumulated overtime in the amount of 40 days with a current value of \$23,241.16; and

**WHEREAS**, Captain Donaruma would be entitled to use this accumulated overtime as compensatory time upon his retirement or receive a payout of same at a higher cash value than its current value; and

**WHEREAS**, the Township is desirous of entering into an agreement with Captain Donaruma to pay for this accumulated overtime, as set forth in the Memorandum of Understanding ("MOU") attached hereto as Exhibit "A," as a cost saving measure.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, does hereby authorize the Mayor to execute the MOU on behalf of the Township.

**RESOLUTION #19-83**

**A RESOLUTION RATIFYING AND CONFIRMING AUTHORIZATION FOR  
RARITAN VALLEY COMMUNITY COLLEGE TO CONDUCT DEER SURVEY**

**WHEREAS**, the Township Committee of the Township of Raritan has determined that the overpopulation of whitetail deer that exists within the Township is a threat to the health, safety and welfare of its residents; and

**WHEREAS**, the Township Committee of the Township of Raritan has determined that the overpopulation of whitetail deer that exists in the Township is causing the degradation of the local environment; and

**WHEREAS**, the present archery hunting program has proven to be effective in reducing the overpopulation of whitetail deer, the threat to the health and safety of its residents and the degradation of the local environment; and

**WHEREAS**, the Wildlife Management Advisory Committee has recommended that the Township continue to allow archery hunting on certain properties; and

**WHEREAS**, the Township Committee of the Township of Raritan wishes to monitor the effectiveness of reducing the population of whitetail deer through the continuance of the archery hunting program as proposed by the Wildlife Management Advisory Committee; and

**WHEREAS**, Raritan Valley Community College can provide a very comprehensible and cost-effective ground and aerial based survey through their Biology and Environmental Science Programs under the direction of Dr. Jay Kelly; and

**WHEREAS**, the total cost of the ground and aerial based survey will not exceed \$9,050.00 and will be funded by the receipts from the licensing of archery hunting rights.

**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 ratifies and confirms action taken on March 5, 2019 at the regular meeting of the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, authorizing the administrator to execute a memorandum of understanding (MOU) (Exhibit "A" attached hereto) with Raritan Valley Community College for the provision of an aerial and ground based deer survey for a sum not to exceed \$9,050.00 as shown in said proposal (Exhibit "B" attached hereto).

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**RESOLUTION #19-91**

**A RESOLUTION AUTHORIZING THE RELEASE OF  
CASH PERFORMANCE BOND (MOOSE LODGE #1829)**

**WHEREAS**, the Flemington Moose Lodge #1829 has requested the release of a cash performance bond; and

**WHEREAS**, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the release of the Cash Performance Bond in the amount of \$2,127.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan, that the cash performance bond in the amount of \$2,127.00 is hereby returned.

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**RESOLUTION #19-94**

**A RESOLUTION AUTHORIZING THE TOWNSHIP ATTORNEY TO ENTER  
A STIPULATION OF DISMISSAL IN THE MATTER OF  
AADARI V. THE TOWNSHIP OF RARITAN**

**WHEREAS**, there is litigation pending in the Superior Court of New Jersey, in the County of Hunterdon, captioned African American Data and Research Institute v. Township of Raritan, et al. Docket No.: HNT-L-000074-19; and

**WHEREAS**, this matter deals with a records request under the Open Public Records Act; and

**WHEREAS**, the Township of Raritan (the "Township") has decided to settle this matter in lieu of further litigation; and

**WHEREAS**, the African American Data and Research Institute (the "AADARI") has agreed to a stipulation of dismissal regarding this matter on the condition that the Township cover AADARI's reasonable attorney's fees; and

**WHEREAS**, the reasonable attorney's fees amount that has been mutually agreed upon between the Township and AADARI is four thousand dollars (\$4,000.00); and

**WHEREAS**, the Township Chief Financial Officer has certified that the \$4,000.00 in funds are available to pay to settle this matter through Certificate of Availability #19-06.

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

1. That the Township Attorney is directed to enter a stipulation of dismissal in regards to this matter; and
2. The Township's Chief Financial Officer is authorized to, upon the direction of the Township Attorney, issue payment in the sum of four thousand dollars (\$4,000.00) to the African American Data and Research Institute, c/o the Law Offices of Rotimi A. Owoh, 100 Overlook Drive, 2<sup>nd</sup> Floor, Princeton, New Jersey, 08540; and
3. That this Resolution shall take effect immediately.

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Mayor Kuhl read Resolution #19-93 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-93.

Motion by Gilbert, seconded by Hazard

**ROLL CALL VOTE:**

**AYES:** Gilbert, Hazard, Mayor Kuhl

**NOES:** Reiner

**ABSTAIN:** None

**ABSENT:** None

**RECUSE:** Mangin

**RESOLUTION #19-93**

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF RARITAN AND PHIL IZZO**

**WHEREAS**, there is litigation pending in the Federal District Court for the District of New Jersey captioned Phil Izzo v. Township of Raritan, et al. Docket No.: 15-122; and

**WHEREAS**, this matter has been litigated for a number of years; and

**WHEREAS**, the Township of Raritan has decided to settle this matter in lieu of further litigation; and

**WHEREAS**, a settlement agreement has been negotiated with Mr. Izzo that is acceptable to both parties, which is attached hereto as Exhibit "A" (the "Settlement Agreement"); and

**WHEREAS**, the Township's responsibility for the portion of moneys due to Mr. Izzo under the Settlement Agreement is fifteen thousand five hundred and twenty dollars and seventy-seven cents (\$15,520.77), the remainder to be paid by the Township's insurers; and

**WHEREAS**, the Chief Financial Officer has certified that \$15,520.77 is available through Certificate of Availability of Funds #19-08.

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

1. That the Mayor and Clerk are hereby authorized to sign the Settlement Agreement attached hereto as Exhibit "A;" and
2. The Township's Chief Financial Officer is authorized to issue payment in the sum of fifteen thousand five hundred and twenty dollars and seventy-seven cents (\$15,520.77) to be distributed as required by the attached Settlement Agreement and as directed by the Somerset County Joint Insurance Fund; and
3. That this Resolution shall take effect immediately.

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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 a \$455 expenditure for mark-out and repair of a shooting range; asked about the Township requiring green roofs and solar panels for new development; inquired whether the newly approved warehouse development previously mentioned was a new building or utilizing already developed space.

**Joann Howell**, a resident of 8 Woznicki Court and a board member of the Stonegate Homeowners' Association, expressed dissatisfaction regarding the delivery of the Hunterdon Observer throughout her community; inquired about repair of the mailboxes within her community; commented on the poor condition of Angus and Krenkle Courts; and asked about notification by First Energy regarding spraying.

During Public Comment, Mr. Hutchins explained that the \$455 expenditure was for mark-out of the underground electric at the police shooting range so work could commence there. Mayor Kuhl advised that the newly approved warehouses are new construction located in an existing developed area; and that the Planning Board does not have the authority to require green roofs and solar panels but that there are initiatives to encourage such development. Committee Member Gilbert also noted that type of requirement would come from the Planning Board and not the Township Committee. Mr. Purcell addressed concerns regarding the delivery of the Hunterdon Observer advising that such is difficult to prohibit, however, the community may request to be put on a “do not drop” list with the Township or call the newspaper directly to stop delivery. Mr. Hutchins advised that JCP&L is only required per NJDEP regulations to provide an area-wide notification regarding spraying. He also commented that the utilities do notify the Township of projects and such is posted to the website.

A brief discussion was held regarding the entity responsible for replacing the mailbox within Ms. Howe’s community. She was advised to follow up with the Homeowners’ Association as well as the Post Office.

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**ADJOURNMENT**

Mayor Kuhl asked for a motion to adjourn.

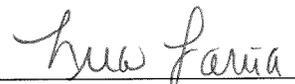
Motion by Reiner, seconded by Gilbert

**MOTION UNANIMOUSLY CARRIED**

Meeting adjourned at 8:29 p.m.

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Respectfully submitted,



Lisa Fania, RMC  
Township Clerk

MUNICIPAL BUDGET NOTICE

SECTION 1.

Be It Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for year 2019;

Be It Further Resolved, that said Budget be published in the

COURIER NEWS

in the issue of March 22, 2019

The Governing Body of the Township of Raritan does hereby approve the following as the Budget for the year 2019:

RECORDED VOTE

(insert last name)	{ Gilbert	{	ABSTAINED { None
	{ Hazard	{	
	YES { Mangin	NAYS { None	
	{ Reiner	{	ABSENT { None
	{ Mayor Kuhl	{	

Notice is hereby given that the Budget and Tax Resolution was approved by the Governing Body of the Township of Raritan, County Of Hunterdon, on

March 19, 2019

A Hearing on the Budget and Tax Resolution will be held at the Municipal Building, on April 18, 2019 at 8:00 (a.m.) at which time and place

objections to said Budget and Tax Resolution for the year 2019 may be presented by taxpayers or other interested persons.