

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, APRIL 16, 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 (arrived at 6:33 p.m.); Comm. Gary Hazard; Comm. Michael Mangin

ABSENT: None.

ALSO PRESENT: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Township Attorney, Jeff Lehrer

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, Jeff Lehrer, read Resolution #19-100 in full.
Mayor Kuhl asked for a motion to approve Closed Session Resolution.
Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

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

RESOLUTION #19-100

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 update; Flemington-Raritan Parks and Recreation Agreement
- b) Personnel: Administrator Evaluation; Planning/Zoning Board Secretary

- c) Attorney-Client Privilege:
- d) Pending Litigation: Affordable Housing update

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.

Committee Member Gilbert arrived at 6:33 p.m.

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

The regular meeting reconvened at 7:03 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.

Committee Member Hazard motioned to remove Item 15a. an Ordinance #19-12 Vacating an Existing Declaration of Conservation Easement and Authorizing and Accepting an Amended Declaration of Conservation Easement on Property Known and Designated as Block 16.01, Lots 35, 36 and 38; seconded by Mangin.

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

ROLL CALL VOTE:

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

PROCLAMATION – EAGLE SCOUT AWARD (Charles Richard Degen) – Mayor Kuhl recognized Charles Degen for his outstanding achievement of Eagle Scout and advised that the following proclamation was provided for his awards ceremony.

**A PROCLAMATION HONORING CHARLES RICHARD DEGEN
FOR THE ACHIEVEMENT OF EAGLE SCOUT**

WHEREAS, Charles Richard Degen of Boy Scout Troop 194 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 Charles' 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, Charles 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, Charles has completed the planning and construction of an outdoor garden area with living space for outdoor enjoyment by the residents of a local home for displaced boys.

NOW, THEREFORE BE IT PROCLAIMED on this 13th day of April, two thousand nineteen, by the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Charles Richard Degen, member of Boy Scout Troop 194 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.

PROCLAMATION – AMERICAN CANCER SOCIETY'S RELAY FOR LIFE OF HUNTERDON COUNTY – Mayor Kuhl explained that the following proclamation declares May 3, 2019 as Wish Upon a Cure Day and May 3 and 4, 2019 as Relay for Life days in Hunterdon County and within the Township of Raritan.

**A PROCLAMATION FOR THE AMERICAN CANCER SOCIETY'S
RELAY FOR LIFE OF HUNTERDON COUNTY**

WHEREAS, cancer is a group of diseases characterized by uncontrolled growth and spread of abnormal cells which, if not controlled, can result in premature death; and

WHEREAS, cancer is predicted to strike one out of every three Americans sometime in our lifetime with an estimated 53,500 new cases of cancer diagnosed in New Jersey for 2019; and

WHEREAS, approximately 15,860 citizens are expected to lose their battle with cancer this year; and

WHEREAS, The American Cancer Society is the nation's largest and most respected voluntary health organization and has funded research which has contributed to every known

method for detecting cancer and techniques for treating cancer; reducing the number of cancer deaths by 2.6 million since 1991; and

WHEREAS, The American Cancer Society is a voluntary community-based coalition of local citizens dedicated to attacking cancer from every angle through financial support and education awareness; and

WHEREAS, the color purple is the signature color of The American Cancer Society's Relay for Life events signifying the passion that cancer survivors and their families and loved ones feel for the eradication of this disease; and

WHEREAS, the Relay for Life of Hunterdon County event financially benefits the American Cancer Society's research and patient support programs, and educationally benefits our local citizens; and

WHEREAS, the American Cancer Society's Relay for Life in Hunterdon County is a community event that allows an opportunity to network with businesses, associates, family and friends, with the same goal of making a difference in the battle against cancer.

NOW, THEREFORE BE IT PROCLAIMED that the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey do hereby proclaim May 3, 2019 as Wish Upon a Cure Day and May 3rd and 4th of 2019 as Relay for Life of Hunterdon County days within the Township of Raritan. We further encourage citizens to help fight cancer from every angle by participating in the Relay for Life event at the Roger K. Everitt Fairgrounds, 1207 Rt 179, Lambertville, NJ on May 3, 2019 starting at 6 p.m.

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:

Sharon Winnick, a resident of 20 Monsey Road, inquired as to the status of pending litigation regarding affordable housing and closed session minutes pertaining to same.

Barbara Sachau, a resident of 2 Glenview Drive, inquired as to the chemicals used in the treatment of the spotted lantern fly and provided a resolution to Committee Members for consideration in opposition to the New Jersey Division of Fish and Wildlife's policy for growing the deer population.

During public comment, Township Attorney, Jeff Lehrer, advised that contract negotiations are still pending regarding the Township's affordable housing obligation. He continued to explain that when a settlement is reached, a Fairness Hearing will be held at which time the settlement agreement will be available for public view. Mr. Lehrer further commented that the closed session minutes will be available when the subject matter of the closed session is no longer an issue. Township Administrator, Don Hutchins, commented that closed session minutes are not available

online and must be requested under the Open Public Records Act (OPRA). Mr. Hutchins also advised that he had no knowledge of the chemicals used in the treatment of the spotted lantern fly and offered to provide Mrs. Sachau with a copy of the correspondence from the New Jersey Department of Agriculture.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: **\$328,967.36**

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

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: **\$21,364.16**

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 March 2019 reports were acknowledged by the Committee:

Animal Control
Court
Planning/Engineering Escrow Accounts
Tax Collector

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 meeting was cancelled and that the Senior Luncheon will be held at Hunterdon Central Regional High School on May 18 at noon and all Committee members are invited. Committee Member Gilbert reported on a meeting of the Local Historians advising that discussion focused on the continuation of the 300th anniversary of Hunterdon County. Committee Member Gilbert advised that the Historians Committee will host a presentation/talk on June 13 at 7:00 p.m. at the Hunterdon County Library on historic events and locations throughout the Township. Committee Member Gilbert also advised that the Open Space Advisory Committee is considering additional properties for preservation; announced that the Senior Green Team, which maintains the trails at Morales Park, will be meeting April 24 at 9:30 a.m.; and reported that the Parks and Recreation Committee will be installing a bench in honor of the mother of a former, retired member of the Parks and Recreation Committee; details to follow.

Gary Hazard: Court/Police; RTMUA
Committee Member Hazard announced the upcoming meeting of the RTMUA (April 18) and advised that the Authority is addressing the current initiative by the New Jersey Department of Environmental Protection (NJDEP) to reclassify 749 miles of waterways as Class 1 streams which poses a major impact to the vitality of the Township and the County.

Jeff Kuhl: Planning Board (Class I Member); Personnel; Finance; Historians, Open Space
(Mayor)
Mayor Kuhl reported that he, other mayors and the County will be meeting with NJDEP regarding the stream reclassification on May 1; announced that the 2019 Municipal Budget is scheduled for public hearing and adoption April 18; reiterated that the Local Historians will be holding a talk on historic events at the library and that the Open Space Advisory Committee will be touring additional properties; and announced that the Planning Board meeting was cancelled.

Michael Mangin: Board of Health; Finance; Public Works
Committee Member Mangin announced the upcoming meeting of the Board of Health (April 18) advising of the public hearing and final adoption of a noise ordinance; reiterated that the public hearing and final adoption of the Municipal Budget is scheduled for April 18; and reported that inlet repairs are underway by the Department of Public Works.

Louis Reiner:
(Deputy Mayor)

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

Deputy Mayor Reiner reported that the Wildlife Management Advisory Committee met and that the meeting minutes are available in the Clerk's office. Deputy Mayor Reiner also commented on the NJDEP's stream reclassification advising that the County could pursue litigation in an attempt to block such action.

UNFINISHED BUSINESS

Comcast Cable Franchise Renewal Application – Mr. Lehrer provided an update on the status of the Township's cable franchise renewal explaining that the current agreement expires on December 31, 2019. Mr. Lehrer reported that Comcast submitted its renewal application to the Township on March 30, 2019 which allows negotiations to commence along with a public hearing. He continued that Township Attorney, Ed Purcell, will coordinate notices with the Township Clerk relative to the hearing.

NEW BUSINESS

Hunterdon County Cooperative Pricing System – Energy Cooperative Program – Mr. Hutchins referred to material provided by the County regarding participation in the Energy Aggregate Program as a member of the Hunterdon County Cooperative Pricing System. Mr. Hutchins explained that it is his recommendation to participate and that he is seeking a consensus from the Committee to proceed with submission of the paperwork. He added that the program is only available to government entities.

Motion by Reiner, seconded by Hazard to proceed.

MOTION UNANIMOUSLY CARRIED

Authorization for the New Jersey Department of Agriculture to access Township-owned property for the treatment of the Spotted Lantern Fly – Mr. Hutchins explained that the New Jersey Department of Agriculture (NJDA) is seeking access to public and private properties for the treatment of the Spotted Lanternfly, an invasive insect posing a significant threat to industry and the quality of life of homeowners. Mr. Hutchins continued that the NJDA is taking steps to combat the spread and infestation of the insect which includes removal or herbicide treatment of the Tree of Heaven (*Ailanthus altissima*) that is host to the Spotted Lanternfly.

Mayor Kuhl asked for a motion to permit access to Township-owned property by NJDA.

Motion by Mangin, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

Police Outside Detail by Extra Duty Solutions – Mr. Hutchins referred to information provided in the packet concerning the administration and payment to police officers for outside detail. Mr. Hutchins explained that compensation for outside duty is currently handled by the Payroll Department and that officers are paid when the Township receives the funds from the contractor. He continued that Extra Duty Solutions will assume the responsibility and collection of funds and payment to officers whether or not payment is received from the contractor. Mr. Hutchins advised that there is no cost to the Township and that he and Chief Payne recommend proceeding.

Mr. Hutchins further explained that the current ordinance pertaining to outside employment of off-duty police officers' compensation will need to be amended prior to execution of the contract.

Mayor Kuhl asked for a motion to direct Mr. Hutchins to proceed with the ordinance amendment. Motion by Gilbert, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

Draft ordinance amending and supplementing Chapter 16.64, General Design and Use Regulations permitting overnight parking of up to two commercial vehicles in residential zones – Mayor Kuhl explained that the proposed draft ordinance authorizes the overnight parking of up to two commercial vehicles with a weight restriction up to 14,000 lbs. in residential zones. He continued that this is currently occurring throughout the Township and is very difficult to enforce pursuant to the existing ordinance.

Mayor Kuhl asked for a motion to proceed with the introduction of the proposed ordinance at a future regular meeting.

Motion by Hazard, seconded by Gilbert

MOTION UNANIMOUSLY CARRIED

ORDINANCES (INTRODUCTION/FIRST READING)

Ordinance #19-12 – Vacating an Existing Declaration of Conservation Easement and Authorizing and Accepting an Amended Declaration of Conservation Easement on Property Known and Designated as Block 16.01, Lots 35, 36 and 38 was removed from consideration.

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” AND ADDING PARAGRAPH (F) TO SECTION 16.26H.030 ENTITLED “PERMITTED ACCESSORY USES” AND AMENDING SECTION 16.26H.030 ENTITLED “BUFFERING” OF CHAPTER 16.26H ENTITLED “OUTDOOR RECREATION ZONE”

Mayor Kuhl asked for a motion to introduce Ordinance #19-14 on first consideration.
Motion by Reiner, seconded by Mangin

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 June 5, 2019.

ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)

Mayor Kuhl read by title Ordinance #19-11.

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2.56 OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN ENTITLED “POLICE DEPARTMENT” BY ADDING SECTION 2.56.200 ENTITLED “CLASS III SPECIAL LAW ENFORCEMENT OFFICERS”

Mayor Kuhl asked for a motion to open public hearing.

Motion by Mangin, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-11 on final consideration, same to be published according to law.

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 #19-11

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 2.56 OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF RARITAN
ENTITLED "POLICE DEPARTMENT" BY ADDING
SECTION 2.56.200 ENTITLED "CLASS III SPECIAL LAW
ENFORCEMENT OFFICERS"**

WHEREAS, P.L. 2016 c. 68 ("Chapter 68") was approved by Governor Christie on November 30, 2016; and

WHEREAS, Chapter 68 authorizes municipalities to hire Class III Special Law Enforcement Officers to provide security protection to designated schools; and

WHEREAS, the Township Committee is considering the use of Class III Special Law Enforcement Officers at certain schools within the Township of Raritan.

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

Section 1. Chapter 2.56 entitled "Police Department" is amended and supplemented through the addition of Section 2.56.200 entitled "Class III Special Law Enforcement Officers" as follows:

A.

Pursuant to N.J.S.A. 40A:14-146.10, the Township Committee may appoint Class III Special Law Enforcement Officers to exercise full powers and duties similar to those of a permanent, regularly appointed full-time police officer while providing security at a public school premises during hours when the school is normally in session or when it is occupied by students. The placement of Class III Special Law Enforcement Officers shall be subject to any agreement or inter-local services agreement with any school or local unit and further subject to the direct supervision of the Chief of Police.

A Class III Special Law Enforcement Officer shall only be employed part-time, not to exceed, on average, thirty (30) hours per week per calendar year. Pursuant to N.J.S.A. 40A:14-146.16(9)(d), no Class III Special Law Enforcement Officer shall be eligible for health care benefits from the Township or enrollment in any state-administered retirement system.

B.

The Township Committee may appoint Class III Special Law Enforcement Officers for a term not exceeding one year, and revoke such appointments without cause or hearing. The number of Class III Special Law Enforcement Officers shall be determined on an annual basis by the Township. The resolution appointing Class III Special Law Enforcement Officers shall designate the rate of pay.

C.

While on duty in the Township, a Class III Special Law Enforcement Officer may respond to offenses or emergencies off school grounds if they occur in the officer's presence while traveling to a school facility but said officer shall not otherwise be dispatched or dedicated to any assignment off school property.

D.

No person shall be appointed as a Class III Special Law Enforcement Officer unless he or she is:

- 1) A citizen of the United States;
- 2) Able to read, write and speak the English language;
- 3) Of good moral character, and has not been convicted of any offense involving dishonesty or which could make him or her unfit to perform the duties of his or her office;
- 4) Has successfully undergone the same psychological testing that is required of all full-time police officers in the Township;
- 5) A bona fide retired law enforcement officer who is less than 65 years of age;
- 6) Has served as a duly qualified, fully-trained, full-time officer in any municipality or county of the State of New Jersey or as a member of the State Police, interstate police force, state or county corrections officer, state juvenile corrections officer, or juvenile detention officer, or any other qualified, fully-trained, full-time law enforcement officer who had full powers of arrest and was separated from that prior service in good standing, within three years of appointment;
- 7) Physically capable of performing functions of the position, determined in accordance with Police Training Commission guidelines;
- 8) Possesses a New Jersey Police Training Commission Basic Police Officer Certification or New Jersey State Police Officer Academy Certification or has successfully completed training at the Correction Officer's Training Academy of the Department of Corrections or at a basic training program for corrections officers and juvenile detention officers established by a county;
- 9) Has completed the training course for Safe Schools Resource Officers developed pursuant to N.J.S.A. 52:17B-71.8.

Additionally, every Class III Special Law Enforcement Officer shall be fingerprinted and his or her fingerprints shall be filed with the Division of the State Police and the Federal Bureau of Investigation. Reports shall be made by the Chief of Police to the Township Committee concerning the eligibility and qualifications of any person proposed to be appointed a Class III Special Law Enforcement Officer.

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.

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

CORRESPONDENCE

NJDOT Municipal Aid Award for Case Boulevard – Mayor Kuhl announced that the Township was awarded \$185,000.00 in state aid for road reconstruction and maintenance for Case Boulevard.

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of April 2, 2019.
Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

Township Committee Executive Session Meeting Minutes

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

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

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

RESOLUTIONS

There were no resolutions.

CONSENT AGENDA

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

At this time, Committee Member Gilbert asked that Item 19a. Resolution #19-101 authorizing the award of contract to Pioneer Pole Buildings for the design, materials and installation of a pole building at the Department of Public Works be removed for clarification.

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 #19-102

A RESOLUTION AUTHORIZING THE RELEASE OF CASH PERFORMANCE GUARANTEE (LEFFLER HILL ASSOCIATES, LLC)

WHEREAS, Leffler Hill Associates, LLC posted a cash performance guarantee in the amount of \$212,679.60; and

WHEREAS, Leffler Hill Associates, LLC requested release of its cash performance guarantee October 25, 2016; and

WHEREAS, Leffler Hill Associates, LLC was refunded a portion of its cash performance guarantee in the amount of \$150,000; and

WHEREAS, the Township of Raritan had retained \$62,679.60; and

WHEREAS, Leffler Hill Associates, LLC has requested the return of its remaining cash performance guarantee; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the return of the remaining cash performance guarantee in the amount of \$62,679.60 plus any accrued interest.

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 remaining cash performance guarantee in the amount of \$62,679.60 plus any accrued interest is hereby returned.

RESOLUTION #19-103

**A RESOLUTION AUTHORIZING AWARD OF CONTRACT TO STAVOLA
CONSTRUCTION MATERIALS FOR MAINTENANCE AND REPAIR
MATERIALS**

WHEREAS, sealed bids were received on March 27, 2019 at 11 a.m. prevailing time on various items for Maintenance & Repair Materials for 2019-2020; and

WHEREAS, the Township Committee has reviewed the recommendations made by the Superintendent of Public Works, Brion Fleming, on the bids received; and

WHEREAS, the Chief Financial Officer has determined that sufficient funds are available to award a contract for these materials as evidenced by Certificate of Availability of Funds #19-08, attached to this resolution.

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) That the contract for Maintenance & Repair Materials 2019-2020 shall be awarded as follows:

Stavola Construction Materials Items: #1, 2, 6, 7, and 8
175 Drift Rd.
Tinton Falls, NJ 07724

- 2) That the Township Administrator is hereby authorized and directed to execute said contract in accordance with the specifications and bid documents.

RESOLUTION #19-108

**A RESOLUTION AUTHORIZING ENGAGEMENT OF APPRAISAL
SERVICES FOR OPEN SPACE ACQUISITION**

WHEREAS, the Township of Raritan is contemplating the acquisition of open space;
and

WHEREAS, the Township of Raritan is seeking to determine the fair market value of property it may consider for purchase and preservation; and

WHEREAS, the services of a real estate appraiser experienced and authorized to value properties for acquisition for open space preservation is required; and

WHEREAS, property appraisal services are anticipated to cost below the bid threshold.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Township Administrator, Donald Hutchins, is hereby authorized to solicit proposals and execute an agreement for property appraisal services for the acquisition of open space.

Mayor Kuhl read resolution #19-101 by title.

Committee Member Gilbert inquired as to the original budgeted amount. Mr. Hutchins advised that it was \$80,000.00

Mayor Kuhl asked for a motion to adopt Resolution #19-101.

Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-101

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO PIONEER POLE BUILDINGS FOR THE DESIGN, MATERIALS AND INSTALLATION OF A POLE BUILDING AT THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, on April 2, 2019 at 11:00 a.m. prevailing time, five (5) sealed bids were received for the Design, Materials and Installation of a 50ft X 70ft X 16ft 6-inch Pole Building at the Department of Public Works, 204 Pennsylvania Avenue, Flemington, New Jersey 08822; and

WHEREAS, the lowest responsible bid was received from Pioneer Pole Buildings Commercial Division of PPB Inc., 716 South Route 183, Schuylkill Haven, Pennsylvania, 17972 in the amount of \$78,362.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-09 for the design, materials and installation of a pole building; and

WHEREAS, Superintendent Brion Fleming recommends that the bid be awarded to Pioneer Pole Buildings in the amount of \$78,362.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the bid for the design, materials and installation of a 50ft X 70ft X 16ft 6-inch Pole Building at the Department of Public Works be awarded to Pioneer Pole Buildings, Commercial Division of PPB Inc., 716 South Route 183, Schuylkill Haven, Pennsylvania 17972 in the amount of \$78,362.00.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenview Drive, expressed concern regarding liability to the taxpayers if Extra Duty Solutions files bankruptcy and asked about the impact of recent storms on the RTMUA (Raritan Township Municipal Utilities Authority).

Gene Lewandowski, a resident of 3 Phipps Court, asked if bids were solicited for cable services.

During Public Comment, Mr. Hutchins responded that there is no liability to the taxpayers regarding outside detail compensation for police officers. He reiterated that Extra Duty Solutions collects the funds from the contractor and pays the officers directly. Mr. Hutchins advised that the contract will be reviewed by the Township attorney prior to execution. Mayor Kuhl concurred same and Mr. Lehrer highlighted bankruptcy law and advised that it does not affect taxpayers.

Committee Member Hazard commented that the RTMUA, “watches spikes in the infiltration that comes into the sewer system.”

Mr. Lehrer responded to the inquiry regarding competition for cable services commenting that Comcast has “an exclusive franchise in this area....they have approval from the Board of Public Utilities for this area.....”

At this time, Mayor Kuhl announced that the Committee will reconvene closed session to discuss matters regarding contract negotiations concerning PBA, SOA, Flemington-Raritan Parks and Recreation; Personnel concerning Administrator’s Evaluation and Planning/Zoning Board Secretary; and Pending Litigation regarding affordable housing. Mayor Kuhl advised that the regular meeting will not reconvene and no action will be taken.

Closed Session reconvened at 7:44 p.m.

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

ADJOURNMENT

Mayor Kuhl asked for a motion to adjourn.

Motion by Reiner, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:26 p.m.

Respectfully submitted,


Lisa Fania, RMC
Township Clerk