

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, OCTOBER 1, 2019**

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

ROLL CALL: The following were present: Mayor, Jeff Kuhl; Deputy Mayor, Lou Reiner; Comm. Karen Gilbert; Comm. Gary Hazard (via remote connection); Comm. Michael Mangin

ABSENT: None

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

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

Township Attorney, Ed Purcell, read Resolution #19-226 in full.

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

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-226

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: Shared Services; Hunterdon Medical Center
PILOT
- b. Personnel: Crossing Guards; Appointments/Committee
Member Reiner
- c. Attorney-Client Privilege:
- d. Pending Litigation:

- 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.

CLOSED SESSION MINUTES WILL BE DONE IN A SEPARATE DOCUMENT

The regular meeting reconvened at 7:02 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 Gilbert requested that the agenda be amended to add two resolutions #19-236 and #19-237 denoted as item 6A and 6B respectively.

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

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

Mayor Kuhl read Resolution #19-236 by title.

Mr. Purcell advised that the third Whereas paragraph be amended to reflect the language “effective September 26, 2019” v. “upon the appointment of another Committee Member as Deputy Mayor.”

Mayor Kuhl asked for a motion to adopt Resolution #19-236 as amended.
Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

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

RESOLUTION #19-236

**A RESOLUTION OF THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY, DESIGNATING MICHAEL MANGIN AS DEPUTY MAYOR
FOR THE REMAINDER OF THE 2019 YEAR**

WHEREAS, Section 2.08.020 of the Revised General Ordinances of the Township of Raritan provides that the Township Committee may designate one member of the Committee as Deputy Mayor; and

WHEREAS, the Township Committee appointed Committeeman Louis Reiner (“Committeeman Reiner”) to serve as Deputy Mayor for the 2019 year; and

WHEREAS, Committeeman Reiner has resigned as Deputy Mayor effective September 26, 2019; and

WHEREAS, Committeeman Michael Mangin (“Committeeman Mangin”) is capable and willing to serve as Deputy Mayor for the remainder of the 2019 year.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AS FOLLOWS:

1. The Township Committee hereby designates Committeeman Mangin as Deputy Mayor for the remainder of the 2019 year.
-

Mayor Kuhl read Resolution #19-237 in full.

Mayor Kuhl asked for a motion to adopt Resolution #19-237.

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, Mayor Kuhl

NOES: Reiner

ABSTAIN: None

ABSENT: None

During the Roll Call vote, Committee Members responded as follows:

Committee Member Gilbert read the following statement into the record, "Raritan Township's reputation has been tarnished by Mr. Reiner's comments. We are a community that welcomes all people regardless of their religious affiliation and I am personally offended by Mr. Reiner's assumption that his fellow republicans agree with his opinions. This is not a political party issue. Mr. Reiner expressed his views in a personal forum and his opinions are his own. His statements were filled with hatred and bigotry which is completely unacceptable and unbecoming an elected official. The Township Committee does not have the authority to remove Mr. Reiner from office but we can ask for his resignation. Regardless of whether Mr. Reiner chooses to step down, the Township Committee will continue to justly and impartially serve the Township and to ensure the wellbeing and safety of everyone in our community. My vote is yes."

Committee Member Hazard, "my vote is yes. Completely unacceptable."

Committee Member Mangin, "I feel the same way and my vote is yes."

RESOLUTION #19-237

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO CENSURE COMMITTEEMAN LOUIS REINER FOR HIS DEROGATORY, DISCRIMINATORY AND OFFENSIVE PUBLIC STATEMENTS

WHEREAS, the Township of Raritan ("Township") is committed to respecting the rights of Township residents to free exercise of their faith as set forth in the First Amendment of the United States Constitution; and

WHEREAS, the Township is committed to the principles of equal employment opportunity and anti-discrimination as embodied in Title VII of the 1964 Civil Rights Act, the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (NJ LAD); and

WHEREAS, Township Committeeman Louis Reiner ("Committeeman Reiner") has made derogatory, discriminatory and offensive public comments in regards to adherents of a particular religious faith; and

WHEREAS, in so doing, Committeeman Reiner, has impugned the reputation of his Office, marginalized its authority, and exposed the Township and its residents to undue financial liability and public humiliation; and

WHEREAS, Committeeman Reiner's assumption that his fellow committee members would agree with his statement is extremely misguided; and

WHEREAS, the members of the Township Committee do not support, agree with, or condone in any way the statements made by Committeeman Reiner; and

WHEREAS, in taking our oaths of office, the members of the Township Committee promised to "faithfully, impartially and justly" serve the Township; and

WHEREAS, as a consequence of the foregoing, Committeeman Reiner has resigned as Deputy Mayor.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AS FOLLOWS:

1. The Township Committee hereby censures Committeeman Reiner for his derogatory, discriminatory and offensive public comments in regards to adherents of a particular religious faith.
2. For the benefit of the Township's residents and to preserve the reputation of his office, the Township Committee hereby requests that Committeeman Reiner consider offering his resignation from the office of Township Committeeman.

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:

Karen Russo, a resident of 36 Madison Avenue, spoke in support of Mr. Reiner, first amendment rights, and asked the Committee to rethink its decision.

Jeff Bate, a resident of Holland Township and retired Raritan Township Police Sergeant, commented on his relationship with Mr. Reiner and expressed support for him as a representative of the Township. Mr. Bate also commended Mr. Hutchins and the Committee for the appointment of Al Payne as Chief of Police.

Joey Novick, a resident of 11 East Main Street, also commented on the first amendment right of free speech and the need to protect offensive speech; voiced opinion that Mr. Reiner does not have the discipline to continue serving the residents of the Township; and spoke in support of the Committee's action and removal of Mr. Reiner from the Township Committee. Mr. Novick commented that removal could be by resignation or recall.

Marie Corfield, a resident of 9 Paddock Lane, shared Mr. Novick's opinion, thanked the Committee for its action; read a post from Mr. Reiner's Facebook page regarding guns; commented that his judgment is not in the best interest of all of the people in Raritan Township; and asked that Mr. Reiner step down.

Marianne Rampulla, a resident of 5 Fairfax Court, thanked the Committee for its action, commented on Mr. Reiner's behavior and agenda over the years; and echoed sentiments for his resignation.

Sharon Winnick, a resident of 20 Monsey Road, commended the Committee for passing the resolutions regarding Mr. Reiner and commented on how words can blemish a community as a whole.

Dale Winget, a resident of Raritan Township, spoke in Mr. Reiner's defense.

Mr. Vijan, a resident of 8 Smith Road and student at Hunterdon Central Regional High School, commented that "posts like these contribute to furthering the existing disrespect and insensitivity towards the Islamic community."

Ms. Magee, a resident of 3 Thames Lane and student at Hunterdon Central Regional High School, commented that elected officials are held to the highest of standards and are elected to represent morals and values of the community as well as promote inclusivity of all members. Ms. Magee asked the Committee to "act in a way that will impact future generations positively and work towards eliminating hate, unifying citizens together...."

Karen Becker, a resident of 14 Whitehouse Way, spoke of an encounter with Mr. Reiner in the municipal building while she was reviewing records surrounding the DUI incident involving Freeholder, John Lanza. Ms. Becker explained that Mr. Reiner had made gestures mimicking someone drinking excessively. She continued to comment on Mr. Reiner's insensitivity and lack of engagement in diversity training; voiced opinion regarding who wrote his apology; and asked for his resignation.

Karen Buys, a resident of 6 Dorset Lane, Readington, spoke of her affiliations to religious organizations and schools within Raritan Township and of relationships with members of the Muslim community; commented on her disgust for the hate-filled views expressed by Mr. Reiner; the lack of action by Mr. Reiner in support of his apology; and asked that he resign.

Tom Smith, a resident of 308 Schenck Drive, spoke of his friendships with people from Saudi Arabia, Jordan and Syria and their opinions; commented on people of different religions disagreeing but not hating one another; and that Mr. Reiner acted in bad judgment but would help if needed.

Joe Zarish, a resident of 153 Vorhees Corner Road, commented that he has never seen a public official act in this way; that Mr. Reiner's statement was shameful; and voiced the opinion that Mr. Reiner should leave.

Evelyn Hittner, a resident of 61 Grandin Drive, spoke of first amendment rights of both the Township Committee and Mr. Reiner; voiced the opinion that Mr. Reiner exercised poor judgment; and encouraged Mr. Reiner to resign.

Linda King, a resident of 135 Old Clinton Road, spoke of her experience growing up as the daughter of a conservative protestant minister and never hearing a bad word spoken by her father about any other religion. Ms. King voiced the opinion that parishioners of most religions would not feel free to speak about another religion as Mr. Reiner had.

John Thomas, a resident of Leffler Hill Road, commented that this is a corruption of morals and that he can no longer support the republican party.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: \$334,742.23

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

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

REPORTS

The following August report was acknowledged by Committee Members with no comment:

*Tax Collector

LIAISON REPORTS

- Gary Hazard: Court/Police; RTMUA
Committee Member Hazard extended gratitude to members of the Office of Emergency Management, Police and Fire departments, Rescue Squad, all volunteers and patrons for their support in the success of Community Day.
- Karen Gilbert: Environmental Commission/Green Team; Historians; Open Space; Parks and Recreation; Planning Board (Class III Member)
Committee Member Gilbert echoed Committee Member Hazard's remarks regarding Community Day expressing delight for the support demonstrated by vendor participation and public attendance despite events leading up to the day. Committee Member Gilbert expressed gratitude to the Township Tax Collector, Ann Marie Silvia, for her donation of supplies and time for the free Sand Art, as well as Ann Marie's daughter for her help with the event. Committee Member Gilbert also extended sincere appreciation to Marilyn Fineman for all of her hard work behind the scenes.
- Jeff Kuhl: Planning Board (Class I Member); Personnel; Finance; Historians; Open Space
(Mayor)
Mayor Kuhl reported that the Township is in good financial standing; that the Local Historians Committee's annual trip was cancelled due to a lack of interest; that the Open Space Advisory Committee meeting was cancelled; and that the Planning Board approved an application by Diamond Nation for an additional field. Mayor Kuhl announced that tree planting will take place, Saturday, October 5 at the preserve at the top of Thatcher's Hill. Mayor Kuhl commended the volunteers and Public Works for their hard work in making Community Day a success. Mayor Kuhl also announced that the New Jersey Department of Transportation will be holding a public information center at the Township's Municipal Building on Thursday, October 10 from 6:00 p.m. to 8:00 p.m. regarding Route 31 improvements at Route 31, Church Street to E. Main Street/Flemington Junction Road and Route 31, Healthquest Boulevard to River Road.
- Michael Mangin: Board of Health; Finance; Public Works
Committee Member Mangin reiterated that the Township is in good financial standing and reported on a meeting of the Board of Health advising that there was no new business but a discussion was held on Vaping. On behalf of Public Works, Committee Member Mangin reported that a contract has been awarded to Baker Construction for sidewalk repair at the Police and Administration buildings; that there is a new pole building at Public Works; repaving on Bridal Path will commence on Thursday, and leaf collection begins October 14.

Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Wildlife Management
(Deputy Mayor) Advisory Committee
Deputy Mayor Reiner commented on the success of the Raritan Township
Fire Company's annual 9/11 stair climb.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

ORDINANCES (INTRODUCTION/FIRST READING)

There were no ordinances.

ORDINANCES (PUBLIC HEARING/FINAL ADOPTION)

Mayor Kuhl read by title Ordinance #19-25.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE
OF NEW JERSEY REPEALING AND REPLACING CHAPTER 8.40 ENTITLED "SMOKING"
WITH NEW CHAPTER 8.40 ENTITLED "SMOKING" OF THE REVISED GENERAL
ORDINANCES OF THE TOWNSHIP OF RARITAN

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 #19-25 on final
consideration, same to be published according to law.

Mr. Purcell explained that the proposed ordinance expands the definition of smoking to include vaping and clarifies the areas where smoking is prohibited, adding the municipal building and parks along with the Police Station, Court and school properties.

Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised September 20, 2019 the Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #19-25

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY REPEALING AND REPLACING CHAPTER 8.40 ENTITLED "SMOKING" WITH NEW CHAPTER 8.40 ENTITLED "SMOKING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN

Section 1. Chapter 8.40 entitled "Smoking" is repealed and replaced with new Chapter 8.40 entitled "Smoking" as follows:

8.40.010 DEFINITIONS

As used in this chapter, the following terms shall have the following meanings:

- A. "Board of Education" shall mean the Hunterdon Central Regional High School Board of Education or the Flemington-Raritan Regional School District Board of Education.
- B. "Electronic Smoking Device" shall mean an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo or pipe.
- C. "Parks and Recreation Facilities" shall mean all public parks, playgrounds, open space areas or ball fields, publicly owned or leased by the Township of Raritan, upon which the public is invited or upon which the public is permitted and where individuals gather for recreational activities, including all areas adjacent to such facilities including, but not limited to, parking areas, driveways or driveway aisles.
- D. "Smoking" shall mean the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an Electronic Smoking Device.

8.40.020 POLICE/MUNICIPAL BUILDINGS; PROHIBITED

Smoking is and shall be prohibited in all areas, public or private, in the Raritan Township police/municipal buildings located, respectively, at two and one Municipal Drive, Flemington (Raritan Township), New Jersey and "Smoking Prohibited" signs with letters at least one inch in height or designated by the appropriate international symbol shall be located throughout the police/municipal buildings so as to notify and be clearly visible to the public and employees therein.

8.40.030 BOARD OF EDUCATION PROPERTY; PROHIBITED

Smoking is and shall be prohibited in or upon any real property, premises or buildings owned by the Board of Education within the Township of Raritan.

8.40.040 PARKS AND RECREATION FACILITIES; PROHIBITED

Smoking is and shall be prohibited in or upon all Parks and Recreation Facilities. "Smoking Prohibited" signs with letters at least one inch in height or designated by the appropriate international symbol shall be located throughout the Parks and Recreation Facilities so as to notify and be clearly visible to the public and employees therein.

8.40.050 VIOLATIONS

For a violation of the provisions of this Chapter, the maximum penalty upon conviction shall be a fine up to \$200, and/or a period of community service to 30 days, and/or imprisonment in the county jail or other method of detention for a term not exceeding 30 days.

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

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

Mayor Kuhl read by title Ordinance #19-26.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF DEDICATION FOR THE ROADWAYS AT MOUNTAIN VIEW AT HUNTERDON, FORMERLY BLOCK 44, LOT 4, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Mayor Kuhl asked for a motion to open public hearing.
Motion by Gilbert, seconded by Reiner
MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-26 on final consideration, same to be published according to law.
Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised September 20, 2019 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #19-26

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF DEDICATION FOR THE ROADWAYS AT MOUNTAIN VIEW AT HUNTERDON, FORMERLY BLOCK 44, LOT 4, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

WHEREAS, Toll NJ, LLP, with an address of 250 Gibraltar Road, Horsham, PA, 19044 (“Developer”), applied for and received approval to subdivide Block 44, Lot 4, as shown on the Tax Map of the Township of Raritan, County of Hunterdon, State of New Jersey (“Property”); and

WHEREAS, the Raritan Township Planning Board grant to subdivide the Property is represented in Planning Board Resolutions 7-2006, 5-2010, 14-2012, and 14-2014; and

WHEREAS, as a condition of subdivision approval the Developer was required to make certain roadway improvements; and

WHEREAS, said improvements have been completed; and

WHEREAS, the Township Committee of the Township of Raritan wishes to accept these roadway improvements by way of deed of dedication which is attached hereto as Exhibit “A.”

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that it hereby authorizes acceptance of the deed of dedication attached hereto as Exhibit “A;” and

BE IT FURTHER ORDAINED that the Township Administrator and Attorney are hereby authorized to take any other steps necessary to fulfill the purpose of this ordinance to accept said roadways.

1. This Ordinance shall take effect upon its adoption, passage and publication according to law.
-

CORRESPONDENCE

- a. Letter of acknowledgement for the Township Engineer
 - b. Letter from Raritan Township Democratic Club
-

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of September 17, 2019. Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

Township Committee Executive Session Meeting Minutes

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes of September 17, 2019 #1 and #2.

Motion by Mangin, seconded by Reiner to approve Executive Session Meeting Minutes of September 17, 2019 #1 and #2.

During the vote on the Regular Meeting Minutes for September 17, 2019, Committee Member Reiner voted yes. Prior to Roll Call on the Executive Session Meeting Minutes, Municipal Clerk, Lisa Fania, advised Mayor Kuhl that Committee Member Reiner could not vote on any of the meeting minutes from September 17, 2019, as he was not present. Therefore, Committee Member Reiner's vote on the Regular Meeting Minutes for September 17, 2019 was corrected to "Abstain."

ROLL CALL VOTE:

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

RESOLUTIONS

Mayor Kuhl read Resolution #19-228 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-228.

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-228

**A RESOLUTION AUTHORIZING APPLICATION TO
HUNTERDON COUNTY MUNICIPAL GRANT FUND
(BROWNSTEIN PURCHASE)**

WHEREAS, the Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide County Funds in connection with preserving open space, natural areas, farmland and historic sites; and preservation of historic structures, properties, facilities, sites, areas, or objects; or for the payment of debt service or indebtedness issued or incurred by the municipality for any of the purposes described above; and

WHEREAS, the Township of Raritan desires to further the public interest by obtaining funding in the amount of \$135,925.00 from the County of Hunterdon to fund the following project: Purchase of the Brownstein Property, 39 and 37 Decker Road, Block 22, Lots 24 (partial) and 25.03, Raritan Township, Hunterdon County, at a cost of \$273,456.00.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, New Jersey that the Township Administrator is hereby authorized to:

- a) Make application for such County Open Space Trust Funds;
 - b) Provide additional application information and furnish such documents as may be required, and act as the authorized correspondent of the above-named Municipality;
- and

WHEREAS, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, applicable Freeholder Board Policies and the Procedures Manual for the Municipal Grant Program adopted thereto, and notify the Municipality of the amount of the funding award; and

WHEREAS, the Municipality is willing to use the County funds in accordance with such adopted policies and procedures, and applicable state and local government rules, regulations and statutes;

WHEREAS, the Municipality plans to utilize the Brownstein property for passive recreation, which will be a model nature preservation site, and the Municipality plans to utilize Open Space funds for maintenance, passive recreation and all other uses as per N.J.S.A. 40:12-15 7(b). Funds generated from the Township Wildlife Management Program and County Municipal Grants, if available, will also be used to support the overall maintenance and development of the Brownstein Preserve.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Mayor and Township Committee of the Township of Raritan, Hunterdon County, State of New Jersey;

- 1) That the Administrator of the above-named Municipality is hereby authorized to execute any documents and agreements with the County of Hunterdon known as the Brownstein Property;
- 2) That the Municipality has its share of funds, if required, in the amount of \$ 273,456.00;
- 3) That, in the event the County of Hunterdon's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
- 4) That the applicant agrees to comply with all the applicable federal, state and local laws, rules and regulations in its performance of the project; and
- 5) That this resolution shall take effect immediately.

Mayor Kuhl read Resolution #19-229 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-229.

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-229

**A RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND
OPEN CONTRACT FOR GASB 75 ACTUARIAL SERVICES TO
AON CONSULTING WORLDWIDE, INC.**

WHEREAS, there exists a need for professional services for GASB 75 Actuarial Services for the year as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Financial Officer recommends that AON Consulting Worldwide, Inc. be retained for GASB 75 Actuarial Services for a term of one year beginning October 1, 2019; and

WHEREAS, section N.J.S.A. 40A:11-5 of the Local Public Contracts Law (N.J.S.A. 40A:11-11 et seq.) exempts such professional services from competitive bidding; and

WHEREAS, prior to the execution of a contract, AON Consulting Worldwide, Inc. will have completed and submitted a Business Entity Disclosure Certification which certifies that no individual with a 10% interest or larger has made any reportable contributions to a political party or candidate for the Township Committee of the Township of Raritan in the previous year, and that the contract will prohibit any individual with a 10% interest or larger in AON Consulting Worldwide, Inc., from making any reportable contributions through the term of the contract, however, this is not to be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during calendar year 2018, pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, this was not awarded through a “fair and open process” pursuant to N.J.S.A. 19:44A-20.4, *et seq.*; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-28 for such professional actuarial services.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan as follows:

1. The Township of Raritan will enter into a contract with AON Consulting Worldwide, Inc., for a one-year term effective October 1, 2019.
2. That this contract be awarded without competitive bidding because the services in question are of a specialized, technical and professional nature, not reasonably capable of being reduced to specification.
3. The Business Disclosure Entity Certification shall be placed on file with this resolution.
4. The fees to be paid for such services not to exceed \$8,000.00.
5. A notice of this resolution shall be published in an official newspaper of the Township and in accordance with the Local Public Contracts Law.

Mayor Kuhl read Resolution #19-235 by title.

At this time, Committee Member Gilbert inquired as to whether or not there would be an explanation provided by Chief Financial Officer, Bill Pandos. Mr. Hutchins responded that the Township is “well over the threshold for compliance” and that there would be no further explanation.

Mayor Kuhl asked for a motion to adopt Resolution #19-235.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-235

A RESOLUTION AUTHORIZING THE MUNICIPAL CLERK TO CERTIFY THAT THE GOVERNING BODY HAS REVIEWED THE COMPLETED BEST PRACTICES INVENTORY AT A PUBLIC MEETING

BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Municipal Clerk be and is hereby authorized to certify that the Governing Body has reviewed the Completed Best Practices Inventory as prepared by the Chief Financial Officer at a public meeting held on October 1, 2019.

CONSENT AGENDA

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

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

ROLL CALL VOTE:

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

RESOLUTION #19-227

A RESOLUTION AWARDED A CONTRACT TO BAKER CONSTRUCTION INC. FOR CONCRETE AND SIDEWALK REPAIRS AT THE RARITAN TOWNSHIP ADMINISTRATION BUILDING AND POLICE STATION

WHEREAS, the Township of Raritan is in need of concrete and sidewalk repairs at the Township Administration Building and the Police Station; and

WHEREAS, the Township of Raritan received quotes at New Jersey prevailing wage; and

WHEREAS, Baker Construction Inc., 188 Thatchers Hill Road, Flemington NJ, 08822 submitted the lowest quote and has been awarded the contract to do the sidewalk repairs at the Township Administration Building and the Police Station; and

WHEREAS, the Superintendent of Public Works recommends that Baker Construction Inc. be awarded the contract to do the sidewalk repairs at the Township Administration Building and the Police Station; and

WHEREAS, the cost of this will be at the New Jersey prevailing wage rate and appropriated through Ordinance #19-13 and Ordinance #18-20 for the amount of \$25,000.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-26 for sidewalk repairs at the Township Administration Building and the Police Station.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the contract for sidewalk repairs at the Township Administration Building and the Police Station be awarded to Baker Construction Inc., 188 Thatchers Hill Road, Flemington NJ, 08822 in the amount of \$25,000.00.

RESOLUTION #19-230

A RESOLUTION AUTHORIZING A REDUCTION IN SURETY AND CASH PERFORMANCE GUARANTEES FOR FALLONE GROUP, LLC (BLOCK 79, LOT 18, MEADOWBROOK ESTATES)

WHEREAS, Fallone Group, LLC posted a surety bond in the amount of \$367,231.53 and a cash performance bond in the amount of 40,803.50; and

WHEREAS, Fallone Group, LLC has requested a reduction of its surety and cash bonds; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends a reduction of the surety bond from \$367,231.53 to \$128,241.50 and a reduction in cash performance bond from \$40,803.50 plus any accrued interest to \$14,249.06.

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 surety bond is reduced to \$128,241.50 and the cash performance bond is reduced to \$14,249.06.

RESOLUTION #19-231

A RESOLUTION AUTHORIZING SEWER REFUNDS FROM 2019 TAX SALE

WHEREAS, on September 17, 2019, Tax Collector, Ann Marie Silvia held the 2019 Tax Sale and sold liens for 2018 delinquent taxes and utilities; and

WHEREAS, the Tax Collector received payments totaling \$1,217.17 for unpaid 2018 sewer charges as per Schedule "A."

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 Tax Collector is authorized and directed to refund the Raritan Township Municipal Utilities Authority in the amount of \$1,217.17 as per Schedule "A" attached to this resolution.

SCHEDULE A

2018 SEWER CHARGES

Assessed Owners	Block	Lot & Qualifier	Amount (\$)
Green, David & Kristin	36	32	373.28
Schneider, Nicholas	58	1	181.20
Arteaga, Dagoberto & Mariela F.	71.13	90	163.06
Mitchko, Jeffrey & Dawn	72.23	1, C0807	102.24
Scuderi, Lisa	72.07	46	225.76
Montross, Shirley	72.08	1, C0255	171.63

Total: \$1,217.17

RESOLUTION #19-232

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, ADOPTING A CHANGE TO AN EXISTING DEFERRED COMPENSATION PLAN

WHEREAS, the Township of Raritan (hereinafter referred to as the “Employer”) by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) effective June 28, 2019, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer desires to provide for Designated Roth Contributions and/or In-plan Roth Conversions under its Plan.

NOW, THEREFORE, BE IT RESOLVED that the Employer hereby authorizes the adoption and execution of Amendment, attached hereto as Exhibit “A” by the Mayor, once approved by the Division of Local Government Services which will then assign identifier 83-PD-VALIC-061912 to Deferred Compensation Plan Document, identifier 81-PD-VALIC-103111, to be part of and incorporated into its existing Deferred Compensation Plan Document.

BE IT FURTHER RESOLVED that the Mayor and Township Administrator are authorized to execute any other documents necessary to carry out the intent of this resolution.

LASTLY, BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services.

RESOLUTION #19-233

**A RESOLUTION AUTHORIZING THIRD QUARTER 2019
TAX REFUND (SCHEMBRE)**

WHEREAS, there exists an overpayment of taxes paid to the Tax Collector of the Township of Raritan due to successful State appeals, over bill credits or overpayment by the taxpayer directly; and

WHEREAS, the Township Tax Collector has recommended the refund of an overpayment.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the following receive a refund in the amount specified due to duplicate payments for third quarter 2019 taxes.

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>	<u>Qualifier</u>
Frank Schembre 134 Pennsylvania Ave.	\$2,423.16	35	6	
TOTAL:	\$2,423.16			

RESOLUTION #19-234

**A RESOLUTION AUTHORIZING THE CANCELLATION OF FOURTH
QUARTER 2019 TAXES DUE TO 100% DISABLED VETERAN EXEMPTION**

WHEREAS, N.J.S.A. 54:4-3.30 *et. seq.* provides for one-hundred percent (100%) disabled veterans and their spouses to be exempt from property taxes on their principal residences; and

WHEREAS, the property owners listed below have received such designation by the U.S. Veterans Administration and have subsequently applied and been approved for such exemption from the Township of Raritan Tax Assessor; and

WHEREAS, this designation can result in the overpayment of property taxes and require the cancellation of future tax payments; and

WHEREAS, the Township Tax Collector, as a result of recently approved one-hundred percent (100%) disabled veteran status, recommends the cancellation of the fourth quarter 2019 tax payments as listed.

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 fourth quarter 2019 taxes be cancelled due to one-hundred percent (100%) disabled veteran exemption.

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>
Rahmat Ghafoor (11 Carmen Lane)	\$4,402.55	63	5.07
Martin Grossman (10 Trotter Lane)	\$2,695.90	53.04	13
Joseph Gill (1 West View Drive)	\$3,579.73	25	3.08
Total:	\$10,678.18		

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenway Drive, commented on an increase in Comcast fees and on the negative impact of plastic water bottles on the environment. Ms. Sachau encouraged the use of anything but plastic bottles.

Alex Jaloway, 57 Pony Lane, thanked the Township for paving Carriage Gate Lane.

ADJOURNMENT

Mayor Kuhl asked for a motion to adjourn.

Motion by Reiner, seconded by Gilbert

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 7:53 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk