

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, FEBRUARY 6, 2018**

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

ROLL CALL: The following were present: Mayor, Michael Mangin; Deputy Mayor, Karen Gilbert; Comm. Gary Hazard; Comm. Craig O'Brien; Comm. Louis Reiner.

Also present were: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Police Chief, Glenn Tabasko; Township Attorney, Jeff Lehrer; Attorney, Ed Purcell.

MEETING ADVERTISED: Mayor Mangin advised that the meeting was advertised in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975 in the January 10, 2018 issue of the Courier News and was posted on the office bulletin board and the Township Website.

Township Attorney Lehrer read Resolution #18-30 in full.

Mayor Mangin asked for a motion to approve Closed Session Resolution.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #18-30

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:
 - b) Personnel: Sick time accrual for non-union employees; longevity Compensation; Auditor appointment; RTMUA appointment; Construction Code Official
 - c) Attorney-Client Privilege: Sempervive Update
 - d) Pending Litigation:

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.

3. The Committee will return to Regular Session and may take further action.
4. This Resolution shall take effect immediately.

CLOSED SESSION MINUTES WILL BE DONE IN A SEPARATE DOCUMENT

Mr. Lehrer left the meeting following closed session.

The regular meeting reconvened at 7:15 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Mayor Mangin 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 Mangin asked for any amendments to the Agenda.

Committee Member Reiner requested a discussion regarding the condition of the bathrooms after Court sessions; and Committee Member Hazard requested the addition of a proclamation honoring Township-resident, Brian White for being selected to a Major League Soccer Team be added to the Agenda.

Mayor Mangin advised that the discussion regarding bathroom conditions would be added to a future agenda.

Mayor Mangin asked for a motion to amend the agenda with the addition of a proclamation honoring Brian White.

Motion by Hazard; seconded by Reiner to approve the Agenda as amended.

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

Mayor Mangin invited Brian White to approach the dais and read into the record the following proclamation:

PROCLAMATION

***HONORING BRIAN WHITE FOR ACHIEVING
MAJOR LEAGUE SOCCER STATUS AND ACADEMIC EXCELLENCE***

WHEREAS, Brian White, a twenty-two (22) year resident of the Township of Raritan, has participated in youth and elite soccer programs for the past thirteen (13) years for teams including the Greater Flemington Soccer Club, Player Development Academy, and Red Bull Youth Soccer; and

WHEREAS, Brian White also played soccer for the Hunterdon Central Regional High School's Varsity Soccer team helping it to earn its first New Jersey Group IV State Championship title; and

WHEREAS, Brian White attended Duke University participating as a four-year starter for the Men's Soccer Team earning 2017 ACC All-Academic, ACC All Men's Soccer Team, and Third Team All American honors, as well as graduating in three and a half years with a Political Science degree; and

WHEREAS, Brian White entered the Major League Soccer professional draft on January 19, 2018 and was selected 16th pick in the First Round by the New York Red Bulls Soccer Team.

NOW, THEREFORE BE IT PROCLAIMED, on this 6th day of February, 2018 by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that Brian White is honored for his leadership, determination, and dedication in the pursuit of academic and athletic excellence among the youth of our community and that sincerest congratulations be extended for his accomplishment of First Round draft selection to the New York Red Bulls Major League Soccer Team.

**PRESENTATION – RARITAN TOWNSHIP ON-LINE INFORMATION SDL PORTAL –
JOHN TULLY**

Township Assistant Engineer, John Tully, gave a brief presentation of the Township's new on-line information portal utilizing Spacial Data Logic (SDL) software. Mr. Tully explained that registered users now have convenient access to real-time Township information including property assessments; sales history; parcel description and images; owner information; forms; and permit status. Mr. Tully explained the registration process; demonstrated navigation of the portal including use of the search and status features; and showed how to submit a request for records in accordance with the Open Public Records Act. Mr. Tully added that users will also be able to receive real-time status notifications by email of inspections.

Discussion was held regarding the ability to upload rabies certificates for pet licensing; identification of properties in the event of alarm activation; and electronic signature approval.

During the discussion, Mr. Tully advised that approvals currently require manual signatures but the State is working towards electronic signatures for approval of engineering and architectural plans. He added that SDL is also in the process of modifying their software to enable electronic signatures for Township engineering/zoning approvals. Mr. Tully further advised that rabies certificates can be uploaded in pdf format and that future enhancements include Police Department access; on-line submission of all forms; and electronic payment.

Mr. Tully and Mr. Hutchins both commented on the use of the software for inspections. Mr. Tully also advised that the software is compatible for use with the Drone that was recently purchased by the Engineering department.

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.

There was no public comment.

FINANCIAL ISSUES

Payment of Bills as listed for **Raritan Township: \$3,371.745.74**

Motion by Gilbert, seconded by Hazard to approve the bill list for Raritan Township.

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

Payment of Bills as listed for **Raritan Township Fire Company: \$2,088.26**

Motion by Gilbert, seconded by Reiner to approve the bill list for the Raritan Township Fire Company.

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None
RECUSE: Mayor Mangin

REPORTS

The following staff reports were acknowledged by the Township Committee:

- *Public Works – Snow Removal Costs – January 8, 17, 30, 2018
- *Tax Collector – December 2017
- *Tax Collector – 2017 Annual Statement of Receipts
- *Fire Safety – 2017 End of Year Report
- *Court – December 2017

During Staff Reports, Mayor Mangin announced that the Township will be returning overpayments of third and fourth quarter 2018 tax payments for which action will be authorized by resolution later in the Agenda.

LIAISON REPORTS

Karen Gilbert: Finance; Historian; Open Space; Parks and Recreation; Planning Board (Class III Member)

Deputy Mayor Gilbert reported on a meeting of the Open Space Advisory Committee advising of discussion regarding resubmittal of the Francavilla Property to the County at no cost to the Township; as well as a meeting of the Planning Board advising that the Sign Ordinance is in review and recommendations will be submitted to the Township Committee. Deputy Mayor Gilbert announced that she will attend the February meeting of the Parks and Recreation Committee.

Gary Hazard: Court/Police; RTMUA

Committee Member Hazard thanked the Police Department for the safety provided during the holiday season; and provided an update on the status of the judge appointment advising that interviews have been scheduled. Committee Member Hazard advised that resumes of candidates are available for review.

A brief discussion was held regarding the number of resumes received. Committee Member Hazard and Mr. Hutchins advised that approximately twelve (12) resumes were received, for which five (5) did not have bench experience. Committee Member Hazard continued that upon the completion of the interviews, recommendations will be submitted to the Committee for consideration. He further advised that the Court is covered with Judges until the end of March.

Craig O'Brien: Open Space

Committee Member O'Brien announced the date of the upcoming Open Space Advisory Committee meeting (February 14). Committee Member O'Brien requested that the Committee consider a presentation by Committee Member O'Brien on openness and transparency of Township Committee meetings for the February 20, 2018 agenda.

Mayor Mangin commented that recommendations for such presentation must be submitted to all Committee Members for review prior to that meeting.

Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Public Works; Wildlife Management Advisory Committee

Committee Member Reiner announced the upcoming meeting date of the Wildlife Management Advisory Committee (February 22).

Michael Mangin: Board of Health; Finance; Personnel; Planning Board (Class I Member)

Mayor Mangin reported on a meeting of the Board of Health advising of ordinances introduced including revised fee schedule; and amending language regarding soil witness testing; as well as Finance and Planning Board meetings. Mayor Mangin advised that budget discussions are underway and commended Mr. Hutchins and Mr. Pandos for their efforts in preparing the documents for review. Mayor Mangin also commented on the revamping of the Sign Ordinance by the Planning Board and the benefits of such to the business community.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

a. Approval of new taxi cab license (Angeles Taxi) – Mr. Purcell explained that Township Ordinance requires authorization by the Township Committee for the issuance of new taxi cab licenses. It was the consensus of Committee Members to approve the issuance of a taxi cab license to Angeles Taxi.

b. Joint Infrastructure Planning Committee – Mayor Mangin commented on the issue of sewer capacity within the Township explaining that the Township Committee is considering the formation of a formal ad hoc committee, the Joint Infrastructure Planning Committee (JIPC) to address this critical issue.

Committee Member Hazard recapped that discussion regarding the appointment of John Kendzulak as RTMUA Commissioner was carried from the January 16, 2018 meeting, as he wanted to interview Mr. Kendzulak prior to voting. Committee Member Hazard concurred with Mayor Mangin's comments regarding establishing a commission consisting of Township representation including the Planning Board; Township Engineer; Hunterdon County representation (Freeholder Board, County Engineer, County Director of Economic Development). Committee Member Hazard voiced opinion that the issue is not just for the Township but for all of Hunterdon County going forward and a need exists to look at the options and what is available. Committee Member Hazard commented on the length of time before a shovel goes in the ground, anywhere from three (3) to seven (7) years. Committee Member Hazard recommended proceeding with the proposal with input and assistance from Committee Members, residents, and professionals.

Deputy Mayor Gilbert expressed support for Committee Member Hazard's proposal commenting that a first step is the identification of a mission statement and determination of the responsibilities of such group. Deputy Mayor Gilbert advised that the Township's Master Plan is up for reexamination this year.

Mayor Mangin voiced support in favor of the Township Attorney drafting a resolution establishing the proposed committee for consideration at a future scheduled meeting.

Committee Member Hazard reiterated that he would like input from Committee Members and expressed support for a resolution draft as well.

Committee Member O'Brien commented in favor of more discussion and continued that the driving force should be the Township vs. the County Freeholder Board and the Borough. Committee Member O'Brien also raised concern that meetings of the proposed body be held in public and well noticed. Committee Member O'Brien also requested the inclusion of members of the business community as participants on the proposed committee.

Committee Member Reiner expressed support in favor of including members of the business community.

During the discussion, Mayor Mangin advised that Freeholder Board involvement is to assist with the financing. Committee Member O'Brien inquired as to why action to establish such committee was done by resolution vs. ordinance.

Mr. Purcell advised that the proposed committee is not a statutory body, like the Environmental or Historical Commissions, and that its establishment is for a very specific, local purpose, therefore, a resolution is appropriate.

Committee Member Hazard suggested researching the action taken by other municipalities establishing ad hoc committees.

Committee Member O'Brien expressed concern that a mission statement be determined prior to drafting a resolution.

Discussion continued regarding authorization by resolution or ordinance to establish the JIPC. Committee Member O'Brien requested that the document be referred to as a "White Paper."

Mayor Mangin asked for a voice vote in favor of the Township Attorney drafting a resolution establishing the Joint Infrastructure Planning Committee to address the challenges faced by the Township regarding growth and sewer capacity for consideration at a future scheduled meeting. It was the consensus of the Committee to proceed. Committee Member O'Brien voted yes, with reservation.

c. Request from Flemington Jewish Community Center to hold a Farmland Ride, Sunday, June 10, 2018 – Mr. Hutchins advised that the Flemington Jewish Community Center had previously received approval to utilize the Municipal Parking lot for such event and that they are now seeking approval to utilize Township roads as well. Mr. Hutchins advised that Police, OEM, and Public Works have granted authorization.

Mayor Mangin requested that Mr. Hutchins advise the requestor to seek County approval for the use of County roads as well. It was the consensus of the Committee to approve the request from the Flemington Jewish Community Center to utilize Township roads for a Farmland Ride, Sunday, June 10, 2018.

d. Amendment to Construction Code Fee Schedule – Mr. Hutchins advised Committee Members of an issue regarding the electrical permit fee for a new solar field on Route 202/31 and the need for an amendment. Mr. Hutchins explained that the Acting Construction Official determined that under the current Construction Code fee schedule the cost of the permit for a photovoltaic system would be approximately \$1.5 million dollars. Mr. Hutchins informed the Committee that the Construction Department has informed the contractor of the fee issue; has issued the permit with the understanding that the Township fee will be collected upon the establishment of an amended fee. Mr. Hutchins continued that the permit was issued as the contractor is up against a time constraint.

Discussion was held regarding concern for the potential risk to the Township for collecting fees following the issuance of a permit; review of the existing Construction Code fee ordinance for other potential issues; previous fees charged for existing solar fields in the Township; and when permit fees are normally collected.

During the discussion, Mr. Hutchins explained that permit fees are normally collected at the time the permit is issued and that the fees for the existing solar fields were based on a formula determined by the former Construction Official. Mr. Purcell added that the Township is granting the permit with a condition that the fee will be collected at a later date.

Mr. Hutchins commented that the contractor was advised of the proposed fees and is in agreement with such. He added that solar projects are reviewed by the DCA and automatically discounted twenty percent (20%). He further commented that the new Construction Official will be tasked with reviewing the existing construction code fee schedule for any other anomalies.

It was concurred to carry discussion to a future scheduled meeting as additional information was required.

ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)

Mayor Mangin read by title Ordinance #18-2

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING CHAPTER 2.28 ENTITLED "TOWNSHIP ENGINEER" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY AMENDING SECTION 2.28.020 ENTITLED "DUTIES"

Mayor Mangin asked for a motion to open public hearing.

Motion by Gilbert, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-2 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised February 9, 2018 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #18-2

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING CHAPTER 2.28 ENTITLED "TOWNSHIP ENGINEER" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN BY AMENDING SECTION 2.28.020 ENTITLED "DUTIES"

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

Section 1. Section 2.28.020 entitled "Duties" is hereby amended as follows:

The Township Engineer shall perform all of the duties, presently described by the statutes of New Jersey and any ordinances adopted, as may be required to be performed by the Township Engineer. In addition to that, the Township Engineer shall perform the following duties:

- A. Prepare, or cause to be prepared, plans, designs and specifications for public works and improvements undertaken by the Township, either on force account or by public contract;
- B. Provide and maintain surveys, maps, plans, specifications and control records with respect to public works and facilities owned or operated by the Township;

- C. Be responsible for the review and comment on plans prepared for driveway permits, for the issuance of such permits and for the on-site inspection of these driveways during construction;
- D. Be responsible for the issuance of road opening permits and for inspection during construction;
- E. Perform inspection of [percolation] permeability tests or the supervision thereof and review plans prepared for on-lot disposal systems;
- F. Be responsible for enforcing the rules and regulations for the floodplain ordinance and the soil erosion and sedimentation control ordinance throughout the Township and for issuing floodplain certifications when requested;
- G. Provide technical consultation for projects to be undertaken for playgrounds, parks and recreation and prepare or cause to be prepared and then review plans and specifications for the Township Parks and Recreation Commission;
- H. Consult with the Superintendent of Public Works and Township Administrator, inspect the repair and maintenance of existing Township roads from an engineering standpoint and provide technical engineering advice when required;
- I. Respond to citizen complaints, inspect problem areas and make recommendations for the solutions to these problems;
- J. Be designated as engineering consultant to the Township Planning Board, thereby reviewing plans submitted to the Planning Board for site improvements, subdivisions, etc.; provide liaison with applicants, their engineers, architects, etc., advising and instructing them about Township requirements; attend Planning Board meetings and prepare and present reports and comments on applications before the Board for review;
- K. Determine the effects of proposed development on the overall ecological and environmental condition of the Township and prepare environmental impact statements for the Township when required;
- L. Be responsible for the inspection of all ongoing construction projects within the Township from start of construction to final approval or acceptance;
- M. Provide technical and engineering advice and assistance to other Township departments as needed. Attend Township Committee meetings and make reports as required;
- N. Assist the Township in the preparation of new ordinances or revisions to existing ordinances, when required for engineering information or data;
- O. Keep informed of all recent rulings by other governmental agencies which have a direct effect on the practices or functions of the Township;
- P. Assist with the planning of long-range capital improvement programs and with the overall planning of future development within the Township;

- Q. Assist the Township Committee in establishing a yearly budget and provide engineering cost estimates when required;
- R. Upon the termination of his or her service, surrender all papers, documents, memoranda, reports and other materials relating to the administration of his or her duties;
- S. Update the official tax map yearly to reflect subdivisions and conveyance of land;
- T. Maintain all parks, recreation and all other municipal facilities.
(Ord. 98-33 § 5 (part); prior code § 2-11.2)

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 Mangin read by title Ordinance #18-3.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 8.16 ENTITLED "FIRE CODE ENFORCEMENT" BY REPEALING AND REPLACING SECTION 8.16.090 ENTITLED "OPEN BURNING" WITH NEW SECTION 8.16.090 ENTITLED "OPEN BURNING AND RECREATIONAL FIRES"

Mayor Mangin asked for a motion to open public hearing.
Motion by Reiner, seconded by Gilbert
MOTION UNANIMOUSLY CARRIED
No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-3 on final consideration, same to be published according to law.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised February 9, 2018 The Courier News. Posted on municipal bulletin board as required by law.

**TOWNSHIP OF RARITAN
HUNTERDON COUNTY, NEW JERSEY**

ORDINANCE #18-3

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 8.16 ENTITLED "FIRE CODE ENFORCEMENT" BY REPEALING AND REPLACING SECTION 8.16.090 ENTITLED "OPEN BURNING" WITH NEW SECTION 8.16.090 ENTITLED "OPEN BURNING AND RECREATIONAL FIRES."

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

Section 1. Section 8.16.090 "Open Burning" is hereby repealed and replaced with the following new Section 8.16.090 entitled "Open Burning and Recreational Fires", as follows:

- A. Definitions. As used in Section 8.16.090 of the Revised General Ordinances of the Township of Raritan, the following terms shall have the following meanings:

"Bonfire" shall mean an outdoor fire utilized for ceremonial fires.

"Open Burning" shall mean the burning of materials wherein products of combustion emitted directly to the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses typically considered open flames or recreational fires. For the purposes of this definition, a chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

"Recreational fire" shall mean an outdoor fire burning materials other than rubbish where the fuel being burned is not contained in an incinerator, outdoor fireplace, barbecue grill, or barbecue pit and has a total fire area of three (3) feet or less in diameter and two (2) feet or less in height for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

- B. A person shall not cause or allow open burning unless in accordance with the New Jersey Uniform Fire Code (N.J.A.C. 5:70-1 *et seq.*) and Section 8.16.090 of the Revised General Ordinances of the Township of Raritan.
- C. Prohibited open burning. Open burning that is offensive or objectionable because of smoke emissions or when atmospheric conditions or local circumstances make such fires hazardous shall be prohibited.
- D. Allowable burning. Open burning shall be allowed without prior notification to the Fire Marshal for recreational fires, highway safety flares, smudge pots and similar occupational needs.

1. Except as set forth above, open burning shall be allowed after obtaining a permit from the Fire Marshal for such open burning. All permits shall be requested by and issued to the owner or agent of the land upon which the fire is to be started.
 - i. Applications. Applications for open burning shall be submitted in writing at least five (5) business days before the fire is set and shall be in such form and contain such information as required by the Fire Marshal. Such applications shall contain, as a minimum, information regarding the purpose of the proposed burning, the nature and quantities of materials to be burned, the date when such burning will take place, the location of the burning site and the on-site fire-extinguishing equipment to be provided.
 - ii. Agricultural burning. The burning of herbaceous or infested plant life, the burning of orchard pruning and cuttings, prescribed burnings and the clearing of agricultural land by burning are prohibited, unless in accordance with a permit issued under the provisions of N.J.A.C. 7:27-2, administered by the State Forest Fire Service in the New Jersey Department of Environmental Protection.
2. Waste Disposal. Open burning shall not be utilized for waste disposal purposes.
3. Extinguishment Authority. The Fire Marshal is authorized to order that the permit holder, another person responsible for the open burning or the fire department extinguish an open fire that creates or adds to a hazardous or objectionable situation.
4. Location. The location for open burning shall not be less than fifty (50) feet from any structure, and provisions shall be made to prevent the fire from spreading to within fifty (50) feet of any structure. Notwithstanding the foregoing, this subsection shall not prohibit: 1) fires in approved containers that are not less than fifteen (15) feet from a structure; and 2) the minimum required distance from a structure shall be twenty-five (25) feet where the pile size is three (3) feet or less in diameter and two (2) feet or less in height.
5. Bonfires. A bonfire shall not be conducted within fifty (50) feet of a structure or combustible materials Conditions which could cause a fire to spread within fifty (50) feet of a structure shall be eliminated prior to ignition.
 - i. Bonfire size and duration. A bonfire shall not be more than five (5) feet by five (5) feet by five (5) feet in dimension and shall not burn longer than three (3) hours. The maximum size and duration of a bonfire shall not be increased by the fire official unless it is determined that fire safety requirements of the situation and the desirable duration of a burn warrant the increase.

- ii. **Material.** Fuel for a bonfire shall consist only of seasoned dry firewood and shall be ignited with a small quantity of paper. The fire shall not be utilized for waste disposal purposes, and the fuel shall be chosen to minimize the generation of air contaminants.
6. **Recreational Fires.** Recreational fires shall not be conducted within twenty-five (25) feet of a structure or combustible materials. Conditions which could cause a fire to spread within twenty-five (25) feet of a structure shall be eliminated prior to ignition. Fires in approved containers shall be permitted, provided that such fires are not less than fifteen (15) feet from any structure.
7. **Attendance.** Open burning, bonfires or recreational fires shall be constantly attended until the fire is extinguished. A minimum of one portable fire extinguisher with a minimum 40A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

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.

Section 4. Within two weeks of adoption, the Raritan Township Municipal Clerk shall file a copy of this Ordinance with the New Jersey Division of Fire Safety in accordance with N.J.A.C. 5:71-2.7(a)(1).

ORDINANCES (INTRODUCTION, FIRST READING)

Mayor Mangin read by title Ordinance #18-4.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF DEDICATION FOR BLOCK 44, LOT 24.44 TO BE USED AS A SATELLITE FIRE DEPARTMENT BUILDING; A STORM SEWER EASEMENT FOR BLOCK 44, LOTS 24.16 THROUGH 24.25 & LOT 24.01 AND BLOCK 44.02, LOTS 35, 44 & 45; AND A SIGHT TRIANGLE EASEMENT FOR BLOCK 44, LOTS 24.10 & 24.21, BLOCK 44.02, LOTS 26, 32, 38 & 39, AND BLOCK 44.03, LOTS 1 & 5; ALL FROM TOLL, NJ, L.P.

Mayor Mangin asked for a motion to introduce Ordinance #18-4 on first consideration.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for February 20, 2018.

Mayor Mangin asked that Committee Member Reiner contact the Fire Department for attendance at the February 20, 2018 public hearing.

Mayor Mangin read by title Ordinance #18-5.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A WATER TANK EASEMENT, A DETENTION BASIN AND DRAINAGE EASEMENT, AN EMERGENCY AND DETENTION BASIN ACCESS EASEMENT, AND A CONSERVATION EASEMENT THROUGH PORTIONS OF BLOCK 60, LOT 20 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN (ROBIN HILL IX)

Mayor Mangin asked for a motion to introduce Ordinance #18-5 on first consideration.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for February 20, 2018.

CORRESPONDENCE

*Letter of Congratulations to Bill Pandos, Chief Financial Officer, for achieving Qualified Purchasing Agent (QPA) Certification

*Letter of Congratulations to Ann Marie Silva, Tax Collector Assistant, for achieving her Tax Collector Certification

*Don Vanfossen, Public Works, Crew Chief to permanent status.

*Edward Harrington, part-time Public Works employee to permanent status

*Barrie Eberstein, part-time Public Works employee to permanent status

NON-CONSENT AGENDA

Minutes

Township Committee Regular Meeting Minutes

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of October 3, 2017; November 21, 2017; and January 16, 2018.

Committee Member O'Brien requested discussion.

Committee Member O'Brien requested a verbatim transcript of the discussion regarding Ordinance #17-30.

Mr. Purcell requested a motion to direct the Clerk to transcribe verbatim the October 3, 2017 discussion regarding Ordinance #17-30.

Committee Member O'Brien motioned to amend the October 3, 2017 regular meeting minutes to include a verbatim transcription of the discussion regarding Ordinance #17-30. Mayor Mangin seconded the motion stating he did not know what he was motioning.

Deputy Mayor Gilbert clarified that the discussion was of the 911 clock. Deputy Mayor Gilbert asked for clarification of the motion.

Committee Member O'Brien commented in support of tabling the approval of the proposed October 3, 2017 regular meeting minutes.

Motion by Mayor Mangin, seconded by Gilbert to table approval of the Regular Meeting Minutes of October 3, 2017 to be amended to include a verbatim transcript of the discussion of Ordinance #17-30.

ROLL CALL VOTE:

AYES: Gilbert, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: Hazard

ABSENT: None

Mayor Mangin asked for motion to approve the Regular Meeting Minutes of November 21, 2017. Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: Hazard

ABSENT: None

Mayor Mangin asked for a motion to approve the Reorganization Minutes of January 4, 2018.

Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: O'Brien

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of January 16, 2018.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

Executive Session Meeting Minutes

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of November 21, 2017.

Motion by Gilbert, seconded by Mayor Mangin

ROLL CALL VOTE:

AYES: Gilbert, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: Hazard

ABSENT: None

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of January 16, 2018.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

Mayor Mangin read Resolution #18-31 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-31.

Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #18-31

**RESOLUTION DESIGNATING RICHARD DUTHIE AS
RISK MANAGER FOR THE TOWNSHIP OF RARITAN**

WHEREAS, a condition of membership in the Somerset County Joint Insurance Fund is that a Risk Manager be designated to represent the Township of Raritan.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that Richard Duthie be designated as the Risk Manager for the Township of Raritan.

Mayor Mangin read Resolution #18-33 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-33.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #18-33

**RESOLUTION AUTHORIZING THE PART-TIME EMPLOYMENT OF
KENT WOOLF IN THE DEPARTMENT OF PUBLIC WORKS**

WHEREAS, the Township of Raritan is in need of a part-time employee in the Department of Public Works; and

WHEREAS, the Mayor and Township Committee desires to fill this position; and

WHEREAS, the Superintendent of Public Works has interviewed and recommends Kent Woolf to be employed as part-time Department of Public Works employee pending the outcome of his pre-employment physical and drug screening.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that Kent Woolf is hereby employed as part-time Department of Public Works employee effective February 7, 2018 at an hourly rate of \$15.00, as set forth in Teamsters Local 469 Contract, not to exceed on average, 24 hours per week pending the outcome of his pre-employment physical and drug screening.

Mayor Mangin read Resolution #18-34 by title.

Mayor Mangin asked for a motion to adopt Resolution #18-34.

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #18-34

**A RESOLUTION APPROVING AN AMENDMENT TO THE RARITAN
TOWNSHIP PERSONNEL POLICIES AND PROCEDURES MANUAL
(PROFESSIONAL DEVELOPMENT)**

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 Section 10. Professional Development Policies be amended to add subsection 10.1.5; and

WHEREAS, the Township Committee wishes to amend Section 10. Professional Development Policies.

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 Section 10. Professional Developmental Policies of the Township of Raritan Personnel Policies and Procedures Manual be amended as follows:

Section 10. Professional Development Policies

10.1.5. Employees shall be responsible for the reimbursement to the Township of all costs associated with continuing education or training if the employee voluntarily terminates employment with Raritan Township within two (2) years of completing continuing education or training that is not required by law, regulation or Township job description to possess a license or certification. Employees whose employment is involuntarily terminated with the Township are not responsible for reimbursement of such fees.

Mayor Mangin read Resolution #18-36 by title.

A brief discussion was held regarding charging a fee for the administration of overpayment returns. Mr. Hutchins advised that the Township cannot charge a fee and that the request for return must be submitted in writing.

Mayor Mangin asked for a motion to adopt Resolution #18-36.
Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #18-36

**A RESOLUTION AUTHORIZING THE RETURN OF OVERPAYMENTS OF
2018 THIRD AND FOURTH QUARTER 2018 TAXES**

WHEREAS, prepayments of third and fourth quarter 2018 property taxes were made on or before December 31, 2017, following recent IRS guidance on the deductibility of prepaid 2018 taxes; and

WHEREAS, the Township Committee desires to return overpayments of 2018 third and fourth quarter property taxes to those who request a return of said prepaid taxes in writing; and

NOW, THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey authorizes the return of overpayments of 2018 third and fourth quarter property taxes for written requests of such.

Raritan Township Fire Company Applications

Mayor Mangin recused himself from the vote, due to a conflict of interest.

Deputy Mayor Gilbert asked for a motion to approve the application for Brett Colavito.

Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner
NOES: None
ABSTAIN: None
ABSENT: None
RECUSE: Mayor Mangin

Deputy Mayor Gilbert asked for a motion to approve the application for Joel Thorsen.

Motion by Hazard, seconded by Reiner

R ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner
NOES: None
ABSTAIN: None
ABSENT: None
RECUSE: Mayor Mangin

Deputy Mayor Gilbert asked for a motion to approve the application for Blake Boxwell.

Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner
NOES: None
ABSTAIN: None
ABSENT: None
RECUSE: Mayor Mangin

CONSENT AGENDA

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

Mayor Mangin read the following resolutions by title.

Mayor Mangin asked for a motion to adopt the Consent Agenda.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, O'Brien, Reiner, Mayor Mangin
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #18-29

RESOLUTION TO AUTHORIZE JOHN TRIMMER AS A VOLUNTEER

WHEREAS, there exists a need for volunteers to help fulfill the need of certain services to the residents of Raritan Township; and

WHEREAS, the Township Committee wishes to fill this need; and

WHEREAS, John Trimmer has offered to volunteer his services and is recommended by the Township Administrator and the Mayor and Township Committee.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that John Trimmer is hereby authorized to serve as a volunteer for the Township of Raritan, effective February 6, 2018.

RESOLUTION #18-32

**AUTHORIZING THE RETURN OF DEVELOPER'S ESCROW
(STINSON, PRIME DESIGN LANDSCAPES)**

WHEREAS, Stinson (Prime Design Landscapes) has requested the return of its Developer's Escrow; and

WHEREAS, Kristi Gano, Payroll/HR Coordinator, has submitted a memo dated January 22, 2018 and recommended the return of the following Developer's Escrow:

Stinson (Prime Design Landscapes) SP-665-M \$86.29

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 Developer's Escrow in the amount of \$86.29 posted by Stinson (Prime Design Landscapes) is hereby refunded.

RESOLUTION #18-35

**RESOLUTION AUTHORIZING 2018 PROFESSIONAL
SERVICES AGREEMENT (ASSESSOR SERVICES, LLC)**

WHEREAS, there exists a need for professional services for added assessment property inspections; and

WHEREAS, the Township Assessor has submitted a recommendation which the Township Committee has determined to accept; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #18-01 for this purpose.

NOW, THEREFORE, BE IT RESOLVED, on this 6th day of February, 2018 by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey:

- 1) The Mayor and Clerk are authorized to execute a contract with Assessor Services, LLC, 414 Runyon Court, Flemington, NJ 08822.
- 2) That the contract does not exceed \$10,000.
- 3) Notice of the award of this contract shall be published once.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment.

Raritan Township Police Chief, Glenn Tabasko, offered praise for the young men and women volunteering for the Fire Company and spoke highly of newly appointed member, Joel Thorsen.

Caine Fowler, 12 Minneakoning Road, owner of Skunktown Distillery, appeared before the Committee to thank the Township for its efforts in the opening of the first distillery in the Township; and commented on the importance of communication and follow-up between the Township and business owners of the community as well as the impact of the lack of such. Mr. Fowler commended the efforts of the Committee regarding positive interaction and growth within the organization.

During Public Comment, Deputy Mayor Gilbert provided an update on the status of the amended solicitors/food truck ordinance, advising that it is scheduled for introduction at the next Township Committee regular meeting.

ADJOURNMENT

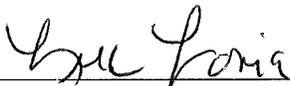
Mayor Mangin asked for a motion to adjourn the regular meeting and reconvene Closed Session.

Motion by Hazard, seconded by Gilbert

MOTION UNANIMOUSLY CARRIED

Regular meeting adjourned and closed session reconvened at 8:47 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk