

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, MAY 15, 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; and Comm. Louis Reiner

ALSO PRESENT: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Police Captain, Kevin Donovan; Chief Financial Officer, Bill Pandos; Township Attorney, Jeff Lehrer; Township Auditor, Robert Swisher

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 municipal bulletin board and the Township website.

Township Attorney Lehrer read Resolution #18-111 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 #18-111

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: Permanent part-time Public Works Employee;
Public Works Employee Retirement; Administrator's Salary

- c) Attorney-Client Privilege: Raritan Junction vs. RTMUA & Township 3rd Party Complaint for Scarce Resources; Affordable Housing (including Dayton Road Property); LOSAP Grievance
- 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 7:00 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.

Mayor Mangin asked for a motion to approve the agenda.
Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

PUBLIC COMMENT: It is the policy of the Township Committee that all public comments on an issue shall be limited to three minutes per person. Public comment shall be permitted on items of concern regarding the agenda only. In addition, time will be allotted at the end of the meeting for public comment on any issue.

At this time, Mayor Mangin requested that the Committee deviate from the scheduled agenda and advance the Clover Hill Sports Complex proposal update and public forum, as interested parties were in attendance.

Mayor Mangin announced receipt of an email from the Co-Chairs, Ira Rosenheim and Ryan Edge, of the Ad hoc Recreation Committee around 3:00 p.m. today. Mayor Mangin read the following into the record:

“Mayor Mangin: This is to inform you that the Ad Hoc Recreation Committee that was commissioned by the Raritan Township Committee to study the need for enhanced active recreation facilities in our community, formally withdraws its request for the Township Committee’s endorsement of the submitted concept plan. Our Ad Hoc Committee has been listening to the public comment and we will be meeting in the near future to determine how we can work with the Township and/or County to find a suitable solution to the challenges that many of our local youth sports organizations consistently face. We offer our thanks to the public for participating and sharing their opinions, while at the same time we remain very disappointed that the leaders of the opposition to this plan have allowed and even encouraged their conversations to degenerate into very personal attacks against members of this Ad Hoc Committee and the individual youth sports organizations we help lead. Any suggestions of ulterior motives and hidden agendas are completely unfounded and extremely insulting. The Ad Hoc Committee respectfully urges our residents to remember that we are also members of this community, and that the volunteer-led, non-profit organizations we serve exist for the benefit of the children in our community.”

Mayor Mangin expressed disappointment regarding Facebook comments posted against the Township Committee and volunteers and reminded those in attendance that the Township provides no funding to the youth recreation leagues.

Committee Member Reiner asked that the record reflect that the above-mentioned email is available under the Open Public Records Act as a public record.

Mayor Mangin asked for a motion to accept the Ad Hoc Recreation Committee’s withdrawal of the Clover Hill Concept Plan.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

Resolution to be ratified and confirmed at the June 4, 2018 meeting.

During the vote, Committee Members commented as follows:

Deputy Mayor Gilbert commented, “the ad hoc committee was formed at the request of the Township Committee, they were not directed to come up with any particular solution by any member of this committee. They worked together as a cohesive group because prior to that,

requests were coming to this committee from various athletic groups asking for solutions....If anything good came out of this, would be that the youth sports organizations did work together. They came up with what they felt was a good solution and unfortunately it was met with significant opposition, as was stated. I don't think this changes the need for additional recreation facilities in our community just like a great school system adds value to our community so do good recreational facilities for our youth sports organizations. My vote is yes to accept their request to withdraw the proposal."

Committee Member Hazard, "I want to thank all the people here... I think it is no secret or should it be that I have been a youth advocate, an advocate of higher education since I came to this community twenty-four (24) years ago. I started out by coaching soccer...became a member of the Board of Trustees for Raritan Valley Community College advocating for our youth....don't think for a minute we don't read on line because we do.....I'm saddened that a lot of this was not in the newspaper... that's a problem with communication. In hindsight, three percent (3%) went a little bit over board, I get 'not in my backyard,' we listen. This process was wide open for six months, before I was elected.....I want to thank the ninety-seven percent (97%), and for the other three percent (3%) there is no hard feelings at all, when you start calling people's names out personally, I print out every single comment that you made on your own Save Clover Hill, I read every comment, every email and the comments were 97% positive... it was the 3% that started calling out these volunteers.... Those people who are volunteers, who have run this, it's their time, talent... I look forward to working with the 3% as we look to help these kids....This was a concept, people working together, Devils Lacrosse, Flemington Soccer, Hunterdon Outreach Program, girls' softball, Flemington Falcons, FRB, first time our community came together in a long time. I was happy about that although disappointed. I was very unhappy to get the email because I thought we could work something out....as we move forward I'm looking to bring civility to this process, there is not a lot of spaces in Raritan Township to put up sports complexes....is that we work with the County together... upgrade some of our current facilities. Our Parks and Recreation Committee has done a great job but the fact is that four years ago it was pretty much carpet bomb from overplay. So, when people are not playing on the fields, there is a reason. You can only put three games a day on a field before it becomes dirt. That's why turf, right....This group is blown up, they are done, nobody wins. But as far as I'm concerned, I hope they stay together and I would encourage you to tell them to stay together on this process. I will continue to work with these organizations. They pay for their fields. There is nothing they don't pay for. The Township doesn't pay for their fields. They pay for scholarships every single year....my point is don't beat up on them, don't pull out their names. Margaret Flood, president of the club, probably has put up an unbelievable amount of money for scholarships for kids who can't play, please don't pick on them, pick on us. We are the ones maybe who screwed up....I thank you all for the process, for being here tonight, I was disappointed. As we move forward, I look forward to your support and your voice as always, that is the core foundation of our democracy, freedom of speech....I vote yes."

Committee Member O'Brien, "thank your for coming tonight. I think there were a lot of lessons learned. One was communication, openness and transparency. I think we on the Committee missed an opportunity to walk people through the process explaining what was going on. I found out as you did when the proposal came out. And, I think by not having that information and taking everyone on that trip explaining what the need was, where they were going....we missed a key opportunity and I hope that it hasn't completely dashed their hopes. On communication,

everybody who sent an email, I think I replied to you, and if I didn't, it was an oversight on my part. I tried very hard to make sure every single person got a response even if it was 'I got your email' because I think that is my job. I'm really glad that you are all out here today and I hope that when decisions are made to move forward, they are communicated openly and everybody is aware of what is going on so we avoid these things in the future. I vote yes to withdraw that recommendation."

Committee Member Reiner, "I want to thank all pros and cons for coming out this evening. It was one hell of a fight, emotions on both sides touching the hearts of many in a quiet suburban town. We certainly don't want to end up like Flemington Borough and be essentially divided and picking on and hurting one another, that is not who we are....let me just say that I am an advocate, supporter of upgrading existing facilities within the Township. I think there is a need for that and I am an adamant supporter of youth recreational activities....and I'm certainly not going to hide behind the County on one point, the buck stops with us, we are the Raritan Township governing body and that's it. The public has spoke loud and clear, four to five hundred people on a petition says it all and as elected officials.....we live in a constitutional republic, a form of democracy and if elected officials cannot hear the loud voices that came out in opposition in the overwhelming numbers they did they must have been underwater. So, all I can say is that moving into the future my intent is to try to find something for these kids because the comments made earlier were correct, they don't get anything from the town as far as money and they are all good volunteers trying to help the community and help these sports organizations. I'm sure at the end of the line we are going to come to some solution that is supported by the overwhelming majority and amicable to all concerned. I will be voting yes to accept Mr. Rosenheim's proposal to withdraw his proposal to construct a sports facility at the Clover Hill location. My vote will be yes."

Mayor Mangin, "from the beginning, when we first received the conceptual plan, I made this an open forum and tried to give everyone a chance to talk. I am voting yes. I don't think I need to reiterate some of the things that were already said. To that matter and in the spirit of transparency, the agenda was prepared last Friday, that said it was an open forum until we received this letter at 3:05 p.m. this afternoon. I'm going to give about fifteen to twenty minutes for public comment and I don't want to hear why you don't want it in your backyard because of lights, traffic, deer, concessions, loud speakers. I will entertain anybody's opinion on this. This Committee believes that there should be additional recreation but it is not going to happen at Clover Hill. I vote yes."

Township Attorney, Jeff Lehrer, clarified that the Governing Body had just voted to accept the recommendation of the Ad Hoc Committee to formally withdraw its request for fields at Clover Hill. He stated, "the Mayor is saying that you can speak but time is limited to a fifteen to twenty-minute timeframe...."

Mayor Mangin solicited public comment.

The following members of the public spoke during public comment:

Dianne Bornegesser, a resident of 5 Brook View Court, asked if the lights "that are there now" are going to stay? And if they are coming back.

Rob Brechka, a resident of 19 Sheppard Drive, spoke of his coaching experience and support of youth sports; and spoke in favor of fixing Lenape Park.

John Regar, a resident of 19 Fieldstone Place, asked if the Ad Hoc Committee is withdrawing any proposal to the County.

Mike Sullivan, a resident of 25 Running Brook Circle, commented that the sentiment of the Clover Hill community was one of being uninformed and not part of the process regarding the proposed concept plan, as well as the soccer fields.

Steve Saus, a resident of 29 Running Brook Circle, commented on the lack of transparency and information regarding the process including correspondence dating back one year; commented on the lack of residents on the Ad hoc Committee; inquired as to the consideration of other alternatives outside of Clover Hill; and spoke of individuals tasked with the evaluation of specific properties that was never completed.

John Testa, a resident of 10 Clover Hill Road, thanked the Committee for acceptance of the withdrawal by the Ad Hoc Committee and commented that too much conflict of interest exists on the Open Space Advisory and Township Committees.

At this time, Mayor Mangin advised that public comment regarding the Clover Hill Concept Plan was closed. Committee Member O'Brien commented, "so we have open public comment on any item on the agenda and I think anybody should be allowed to speak for three (3) minutes.

Mr. Lehrer advised Committee Member O'Brien that Mayor Mangin had allowed for one more comment and that person spoke. Mr. Lehrer continued, "Mr. O'Brien, with all due respect, you are not the Chairman of the meeting. The Chairman of the meeting is the Mayor and he said he was going to limit it to fifteen minutes because they had voted. You don't have the right individually to invite people up to the dais. The Mayor is the Chairman of the meeting..."

Public comment continued.

Barbara Sachau, a resident of 2 Glenway Drive, voiced opposition to the proposed resolution authorizing a salary increase for the Township Administrator commenting that a maximum be set for salary ranges; expressed dissatisfaction for the proclamation honoring John Lanza as recipient of the Raritan Township Republican Club's award; and with respect to fields, suggested seeking a private investor to fund enclosed recreational facilities.

During public comment, Committee Members addressed questions raised regarding the Clover Hill proposal advising that the Township Committee's resolution accepting the withdrawal of the plan will be forwarded to the County and if the Ad Hoc Committee chooses to proceed with the County that is their choice; advised that the process regarding the construction of the soccer fields at Clover Hill was a full process; and responded that the lighting at the soccer fields had been removed in November and that request for usage is on an annual basis.

Deputy Mayor Gilbert advised that she personally reached out by email to those who had expressed concerns or interest regarding the lights at Clover Hill, as she knew they would have a comment or opinion regarding the proposed conceptual plan. Deputy Mayor Gilbert also clarified that the ad hoc committee was not charged with looking at Clover Hill. She continued to explain that the committee was charged specifically to come up with a solution for the lack of recreation facilities in the community, whether it be repurposing existing fields, the acquisition of open space or utilizing an existing parcel. Deputy Mayor Gilbert stated, “they were never told to look at Clover Hill by any member of this Committee, so any reference to correspondence going back a year is not true.”

Committee Member Reiner added, “...that the email going back to February of last year was not the Committee as a Governing Body, it was not the entity, it was one committee member.”

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: **\$761,633.57**

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

ROLL CALL VOTE:

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

REPORTS

The following staff reports were acknowledged by the Township Committee:

- *Planning/Zoning Escrow Accounts – April 2018
- *Animal Control – April 2018

LIAISON REPORTS

Karen Gilbert: Environmental Commission/Green Team, Finance; Historians; Open Space; Parks and Recreation; Planning Board (Class III Member)

Deputy Mayor Gilbert announced that meetings of the Environmental Commission, Parks and Recreation Committee, and Planning Board were cancelled. Deputy Mayor Gilbert reported on a meeting of the Open Space Committee advising that Bill Millette, Hunterdon County Open Space

Program Manager, presented an overview of the County’s open space plan. Deputy Mayor Gilbert explained that Mr. Millette is meeting with all of the municipalities for input. She advised that the document is for informational purposes only and is not for distribution to the public and is strictly confidential. Deputy Mayor Gilbert advised that she will provide copies through the Clerk to all Committee Members. Deputy Mayor Gilbert also reported that the Open Space Advisory Committee discussed active recreation as well.

Committee Member Hazard suggested inviting Mr. Millette to a Township Committee meeting to present the County’s plan once approved.

Mayor Mangin reiterated that the document shall not be shared with the public.

Gary Hazard:

Court/Police; RTMUA

Committee Member Hazard reported that the Court is running well and announced that he will be attending his first meeting of the RTMUA as an official member this coming Thursday and will report accordingly monthly.

Committee Member Reiner inquired as to whether Committee Member Hazard could share closed session discussions with the Township Committee as he is the liaison to the RTMUA, as well as a Commissioner.

Mr. Lehrer advised that he shall not share such information as the RTMUA is a separate entity and Committee Member Hazard serves on that committee in a separate capacity.

Craig O’Brien:

Open Space

No report.

Louis Reiner:

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

Committee Member Reiner announced that September 9 is the date of the Annual 911 Fire Company Stair Climb.

Michael Mangin:

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

No report.

UNFINISHED BUSINESS

a. Clover Hill Sports Complex proposal update and public forum – Mayor Mangin reiterated that this item was advanced to earlier in the meeting agenda.

b. CAP Bank Ordinance follow-up discussion – Township Auditor, Robert Swisher provided an explanation of the CAP Bank law advising that the State of New Jersey sets the amount that each municipality is allowed to raise appropriations, and for 2018 that amount was set at 2.5%. He continued that the Township can, by ordinance, raise that amount to 3.5%. Mr. Swisher explained that the ordinance allows the Township to develop this bank which can be carried over for two (2) years and, if not needed within the two years, just goes away. He continued that, “this year, if you pass the ordinance, you will be able to bank 3.5%, if not, you will bank 2.5%....and right now you would be tapping into the 2016 bank to allow you to stay under the CAP law. So, whether you choose to pass the 2.5 or 3.5%, that is not going to impact this year’s budget as prior years’ bank is used first. The one percent (1%) difference would be banked for future years. You had a bank available of about \$250,000 from 2016 that is being used.”

Mr. Swisher also explained that there are two (2) State CAPs – the appropriation CAP and the levy CAP.

Mayor Mangin solicited comments from the Committee.

Committee Member O’Brien, “so it was put out at the last meeting that we never used the CAP bank. We are using the CAP bank, aren’t we? According to Don’s memo we are using \$251,035.39 of it.” Committee Member O’Brien inquired as to how much Township spending was increasing this year and what would be the CAP bank next year.

Mr. Swisher advised that part of the 2016 CAP bank is being used and that \$450,000 is being carried over to next year.

Committee Member O’Brien referred to spreadsheets he had prepared and continued to inquire about clarification of the amount of next year’s CAP bank.

Mr. Swisher commented that he would review Committee Member O’Brien’s spreadsheets and advise accordingly.

Mayor Gilbert asked for clarification that the budget was reviewed by the State and that one minor adjustment was identified.

Mr. Swisher responded that, “the budget is in compliance with all the CAPs and that the State is completely satisfied and had given the okay to adopt tonight.” He continued to explain that, “each year the State of New Jersey gives you a sheet that is your bank that you are allowed to use.”

Committee Member O’Brien commented, “I think our numbers are wrong... somebody made a mistake.”

Mr. Swisher responded, “I don’t believe that to be correct.”

At this time, Mayor Mangin requested that Mr. Swisher provide Committee Member O’Brien and all Committee Members with a copy of the information regarding the Township’s CAP bank.

Committee Member O’Brien continued to express concern regarding the numbers.

Deputy Mayor Gilbert stated, "Mr. Swisher is not new as an auditor. He is new to Raritan Township. And, to the fact that we did not do a self-audit this year, the State audited our budget and did not find any problem with our CAP bank, I'm pretty sure they would be looking at that."

Committee Member O'Brien asked what would happen if he was correct and the numbers were wrong.

Mr. Swisher explained that nothing would happen because the State gave approval to adopt.

NEW BUSINESS

There was no new business.

RESOLUTION #18-33 - 2018 MUNICIPAL BUDGET (FINAL ADOPTION/PUBLIC HEARING)

Mayor Mangin read by title Resolution #18-33.

Mayor Mangin asked for motion to open the public hearing.

Motion by Gilbert, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Mangin explained that during State examination of the budget, it was determined that last year's salary figure was used for the 2018 budget for the school resource officer. Mayor Mangin advised that the minor amendment has been corrected and reflected in the 2018 budget document.

Mayor Mangin asked for a motion to close the public hearing and adopt Resolution #18-33, a Resolution Adopting the Budget for the Year 2018.

Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Mangin

NOES: O'Brien

ABSTAIN: None

ABSENT: None

BUDGET ADOPTED

During the vote, Committee Member O'Brien commented, "I have seen a lot of budgets, some good ones and some bad ones, the good ones look at the future and plan ahead, they put money aside and they make sure that the growth and the spending matches the growth and the revenue, bad ones go from crisis to crisis and try to put money from short term buckets to kind of keep things going along. This is not a good budget. Spending is up after three years a few million dollars. I would like to say we are at the end of the 3-year spending spree but I don't think we are done yet. By comparison the eight years before that spending went up \$300,000 so six times the

spending in roughly a third of the time frame. That's a big change. This budget is going to be \$650,000 higher than last year's budget when all is said and done. That's another big change. That is 3 ½%. This is not sustainable in the long run. I think we have blown through our spending CAP, there is nothing left on the appropriation side. We have to be more careful..... I vote no."

Committee Member Reiner, "our increased appropriations of, as Mr. O'Brien stated, \$650,000 for this year over the last 2 years, two million that was the result of debt service, health care, contractual obligations, pensions and such, I am fully aware that this has been offset by revenue and again I am aware that our tax rate has been kept essentially flat over the last 2 years on the municipal side. Nine dollars for the average homeowner vs. the schools with a budget three times the size of ours, 2% card blanche across the board.... I'm very familiar with and have been made aware of the fact that 2 million of increased appropriations. Well I'm very proud of the fact that we had a net pay down over the last two years to our debt of \$2,246,380.72. I think that that is extremely, this is huge, this amount of money to pay down off your debt off the top over the last two years, I think this is a record that we should be proud of and one of which I think should serve as a role model for all towns to follow but yet they don't. Having said all I said, I'm very satisfied with this budget and I would like to give all the credit to our CFO and our Administrator for enabling its facilitation. Thank-you Bill, thank-you Don, my vote will be yes to adopt this budget.

(A COPY OF THE BUDGET RESOLUTION #18-33 IS HEREWITH ATTACHED AND
MADE A PART OF THESE MINUTES)

ORDINANCES (FINAL ADOPTION/PUBLIC HEARING)

Mayor Mangin read by title Ordinance #18-17.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A CORRECTED PATHWAY ACCESS EASEMENT FOR LOT 54.01 IN BLOCK 16.01 FROM FLEMINGTON JUNCTION, L.L.C. (71 JUNCTION ROAD)

Mayor Mangin asked for a motion to open public hearing.

Motion by Gilbert, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

No public comment.

Mayor Mangin asked for a motion to close the public hearing and adopt Ordinance #18-17 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised May 4, 2018, The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #18-17

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A CORRECTED PATHWAY ACCESS EASEMENT FOR LOT 54.01 IN BLOCK 16.01 FROM FLEMINGTON JUNCTION, L.L.C.

WHEREAS, Flemington Junction, L.L.C., is the fee simple owner of that certain tract of land lying and being in the Township of Raritan, County of Hunterdon, State of New Jersey, which tract of land is identified as Lot 54.01 in Block 16.01 on the Tax Map of Raritan Township in Hunterdon County, New Jersey, consisting of 11.45± acres (498,773± square feet), located on Junction Road, (the "Property"); and

WHEREAS, Flemington Junction, L.L.C., as Grantor, and The Township of Raritan, as Grantee, entered into that certain Pathway Access Easement, dated May 9, 2016, recorded on May 17, 2016 in the Hunterdon County Clerk's Office in Deed Book 2377, Page 437, Instrument No. 20160517000103190 (the "Original Easement") granting a nonexclusive access easement over a portion of the Property; and

WHEREAS, the portion of the Property subject to the Original Easement is more particularly described by metes and bounds description entitled:

"Metes and Bounds Description Flemington Junction Apartments 15' Wide Public Access Easement, Block 16.01, Portion Lots 54.01, Raritan Township, Hunterdon County, New Jersey" delineating an area of 0.459± acres (19,981± square feet),

which description is dated September 24, 2015, which description was prepared by Howard C. Lopshire, NJPLS, Lic. No. 24GS02680300, of Carroll Engineering (the "Original Easement Area"); and

WHEREAS, Grantor and Grantee now desire to amend which portion of the Property is subject to Original Easement, and do hereby revise and substitute the Original Easement Area, which revised portion is more particularly described by metes and bounds description entitled Metes and Bounds Description Flemington Junction Apartments 15' Wide Public Access Easement Block 16.01, Portion of Lot 54.01 Raritan Township Hunterdon County, New Jersey, which description is dated October 16, 2017, and which description was prepared by Howard C. Lopshire, NJPLS, Lic. No. 24GS02680300; and as further depicted and set forth on the "Grading & Stormwater Management Plan, Flemington Junction Apartments, Block 16.01, Lots 37.01 and 54, Proposed Lot 54.01 in Block 16.01, Situated in Raritan Township, Hunterdon County, New Jersey," last revised September 25, 2017, and prepared by Thomas J. Fik, NJPE, Lic. No. 24GE04591700, of Carroll Engineering; and

WHEREAS, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, wishes to accept the Corrected Pathway Access Easement for Lot 54.01 in Block 16.01, in substitution of the Original Easement Area from Flemington Junction, L.L.C.; and

WHEREAS, the Township Attorney for the Township of Raritan reviewed the Corrected Pathway Access Easement in substantially the form attached and finds it acceptable.

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 Corrected Pathway Access Easement attached hereto and directs its appropriate officials to execute and record same as may be necessary.

This Ordinance shall become effective according to law.

Mayor Mangin read by title Ordinance #18-18.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DETENTION BASIN, DRAINAGE, CONSERVATION AND ACCESS EASEMENT (BLOCK 36.04, LOTS 72, 73, 74, 75 AND 76) FROM NORTH BRIDGE DEVELOPMENT CORPORATION AND WALTER KLINK (20 RIDGE ROAD; 408, 410, 412, 414 CASE BOULEVARD)

Mayor Mangin asked for a motion to open public hearing.

Motion by Gilbert, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

No public comment.

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

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised May 4, 2018, The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #18-18

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DETENTION BASIN, DRAINAGE, CONSERVATION AND ACCESS EASEMENT (BLOCK 36.04, LOTS 72, 73, 74, 75 AND 76) FROM NORTH BRIDGE DEVELOPMENT CORPORATION AND WALTER KLINK (20 RIDGE ROAD; 408, 410, 412, 414 CASE BOULEVARD)

WHEREAS, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, wishes to accept a Detention Basin, Drainage, Conservation and Access Easement for Block 36.04, Lots 72, 73, 74, 75 and 76, as shown on the Tax Map of the Township of Raritan ("Property") from North Bridge Development Corporation and Walter Klink; and

WHEREAS, this Detention Basin, Drainage, Conservation and Access Easement is required by Township of Raritan Planning Board Resolution No. 17-2010, R.T.P.B. Application No. S-1409; and

WHEREAS, North Bridge Development Corporation and Walter Klink agreed to donate the Easement at no cost to the Township; and

WHEREAS, the Township Attorney for the Township of Raritan reviewed the Detention Basin, Drainage, Conservation and Access Easement in substantially the form attached and finds it acceptable.

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 Detention Basin, Drainage, Conservation and Access Easement attached hereto and directs its appropriate officials to execute and record same as may be necessary.

This Ordinance shall become effective according to law.

ORDINANCES (INTRODUCTION, FIRST READING)

Mayor Mangin read by title Ordinance #18-19.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF AN ACCESS (K-TURN) EASEMENT FOR BLOCK 44, LOT 24.01; A DRAINAGE EASEMENT FOR BLOCK 44.02, LOT 1; AN ACCESS EASEMENT FOR BLOCK 44, LOT 24.01; A SIGHT TRIANGLE EASEMENT FOR BLOCK 44, LOTS 24.02, 24.03, 24.32, 24.34, 24.41 AND 24.42; BLOCK 44.01, LOTS 1, 5, 7 AND 10; AND BLOCK 44.02, LOTS 3 AND 14; A STORM SEWER EASEMENT FOR BLOCK 44, LOTS 24.26, 24.36, 24.37, 24.38, 24.39 AND 24.40; BLOCK 44.01, LOTS 9 AND 10; AND BLOCK 44.02, LOTS 13, 14 AND 15; AND A UTILITY EASEMENT FOR BLOCK 44.02, LOTS 1, 2 AND 3; AND BLOCK 44.02, LOTS 1, 14, 15, 16, 17, 18, 19, 20, 21, 22 AND 23; ALL FROM TOLL NJ, L.P. (CARTER DRIVE, HINKLY ROAD, JACOB COURT, PAIGE PLACE, TIFFANY DRIVE)

Mayor Mangin asked for a motion to introduce Ordinance #18-19 on first consideration.

Motion by Gilbert, seconded by Hazard

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 June 4, 2018.

Mayor Mangin read by title Ordinance #18-20.

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$1,611,428.08 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,530,856.68 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

Mayor Mangin asked for a motion to introduce Ordinance #18-20 on first consideration.
Motion by Hazard, 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 June 4, 2018.

CORRESPONDENCE

There was no correspondence.

NON-CONSENT AGENDA

Township Committee Regular Meeting Minutes

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of May 1, 2018.

Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

Mayor Mangin asked for a motion to approve the Regular Meeting Minutes of February 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 amended Regular Meeting Minutes of February 7, 2017 reflecting a corrected vote for Resolution #17-53.

Deputy Mayor Gilbert requested the following additional amendments to the Regular Meeting Minutes of February 7, 2017, clarification of Committee Member Reiner's vote and language naming an appointee to the Open Space Advisory Committee for Resolution #17-38. Deputy Mayor Gilbert advised that Committee Member Reiner is listed as voting yes and no and the name of the appointee was missing from the text of the resolution pasted in full in the minutes.

Motion by Gilbert, seconded by Reiner to approve the amended Regular Meeting Minutes of February 7, 2017 reflecting a corrected vote for Resolution #17-53; and additional amendments to include a corrected vote and language naming the appointee in Resolution #17-38.

ROLL CALL VOTE:

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

Township Committee Executive Meeting Minutes

Mayor Mangin asked for a motion to approve the Executive Session Meeting Minutes of May 1, 2018 (#1 and #2).

At this time, Committee Member O'Brien requested discussion on Closed Session #2.

Committee Member O'Brien, commented, "everything on this is exactly right, I think the quotes are verbatim, but I asked another question. I asked, what was the total increase, and I was told just over 2% was the answer. I would like that added."

Mayor Mangin responded, "I thought I said \$2,500.00."

Committee Member Reiner commented, "our action is \$2,500.00, end of story."

Deputy Mayor Gilbert stated, "my recollection of that conversation is not the same. My recollection was that Mayor Mangin proposed the dollar amount and then Committee Member O'Brien's comment was, '2% I'm fine.' Deputy Mayor Gilbert continued, "I don't remember the question saying, 'so is that 2%.' It was a statement."

Clerk Fania commented, "that's what I have."

Committee Member O'Brien commented, "it's an important question but if the Committee chooses not to add it to the minutes, I'm fine."

Mayor Mangin repeated the request for a motion to approve the Executive Session Meeting Minutes of May 1, 2018 (#1 and #2) as written.

Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Mangin

NOES: O'Brien

ABSTAIN: None

ABSENT: None

Mayor Mangin read by title Resolution #18-112.

Mayor Mangin asked for a motion to adopt Resolution #18-112.

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Reiner, Mayor Mangin

NOES: O'Brien

ABSTAIN: None

ABSENT: None

RESOLUTION #18-112

**A RESOLUTION RATIFYING AND CONFIRMING THE APPOINTMENT
OF GARY HAZARD AS RTMUA COMMISSIONER EFFECTIVE MAY 3, 2018**

WHEREAS, a vacancy as Commissioner on the Raritan Township Municipal Utilities Authority (the "RTMUA") exists as of February 7, 2018; and

WHEREAS, the Raritan Township Committee desires to fill this vacancy within the RTMUA; and

WHEREAS, at its regular meeting of May 1, 2018, the Township Committee, by voice vote, appointed Gary Hazard as Commissioner of the RTMUA for the unexpired term ending January 31, 2019.

NOW, THEREFORE BE IT RESOLVED by the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Township's May 1, 2018 voice vote regarding the appointment of Gary Hazard is hereby ratified and confirmed as follows:

Gary Hazard
Appointed as Commissioner of the RTMUA
Effective May 1, 2018
Expiring January 31, 2019

Mayor Mangin read by title Resolution #18-114.
Mayor Mangin asked for a motion to adopt Resolution #18-114.
Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

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

RESOLUTION #18-114

**RESOLUTION AUTHORIZING THE PART-TIME EMPLOYMENT OF
KENNETH PAUL LAMBERT 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 Kenneth Paul Lambert to be employed as part-time Department of Public Works employee pending the outcome of a 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 Kenneth Paul Lambert is hereby employed as part-time Department of Public Works employee effective May 16, 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 a pre-employment physical and drug screening.

Mayor Mangin read by title Resolution #18-117.
Mayor Mangin asked for a motion to adopt Resolution #18-117.
Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

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

RESOLUTION #18-117

**RESOLUTION PROVIDING SALARY
INCREASE FOR TOWNSHIP ADMINISTRATOR**

WHEREAS, Donald Hutchins was appointed February 7, 2017 as Township Administrator by Resolution #17-53 for a three-year term effective January 1, 2017 and terminating December 31, 2019; and

WHEREAS, the terms and conditions of the Administrator's employment include an annual salary increase of not less than 1.95% in 2018 and 2019 to be determined by the Township Committee based on an annual performance review; and

WHEREAS, Mr. Hutchins received a salary increase for 2018 of 1.95%; and

WHEREAS, in conducting its annual performance review, the Township Committee finds that Mr. Hutchins has exceeded expectations and has been a significant asset to the Township in his capacity as Township Administrator; and

WHEREAS, in light of Mr. Hutchins' outstanding job performance, the Township Committee desires to provide Mr. Hutchins with an additional \$2,500.00 salary increase for 2018 beyond the 1.95% salary increase mentioned above.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that, in addition to the 1.95% salary increase mentioned above, Mr. Hutchins is hereby afforded an additional \$2,500.00 salary increase for the year 2018.

BE IT FURTHER RESOLVED that this salary increase is separate and apart from the terms of Resolution #17-53 and that all terms and conditions of Mr. Hutchins' employment as set forth in Resolution #17-53 are not amended by this resolution and shall remain in full force and effect.

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 asked for a motion to adopt the Consent Agenda.
Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #18-113

A RESOLUTION AUTHORIZING PROFESSIONAL SERVICES AGREEMENT (LABOR COUNSEL)

WHEREAS, there exists a need for professional services for the following: labor relations counsel; and

WHEREAS, the estimated cost of the contract is \$155.00 per hour for Partners; \$150.00 per hour for Associates and \$70.00 per hour for Paralegals; and funds will be available in the 2018 budget appropriations through Certificate of Availability of Funds #18-12 for this purpose certified by the Chief Financial Officer.

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) requires that a resolution authorizing the award of contracts for “Professional Services” without competitive bids and the contract itself must be available for public inspection.

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

1. The Mayor and Clerk are hereby authorized and directed to execute the attached agreement with:

Richard P. Flaum, Esq.; DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum for labor relations counsel

2. The contracts are awarded without competitive bidding as a “Professional Service” under the provisions of Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) as a contract for services to be performed by persons authorized by law to practice recognized professions that are regulated by law and it is not possible to obtain competitive bids.
3. A notice of this action shall be published once in the official newspaper as required by law.

RESOLUTION #18-115

**AUTHORIZING THE RETURN OF DEVELOPER’S ESCROW
(MOREIRA)**

WHEREAS, Moreira has requested the return of its Developer’s Escrow; and
WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated May 7, 2018 and recommended the return of the following Developer’s Escrow:

Moreira	S-1377-M	\$24.95
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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 \$24.95 posted by Moreira is hereby refunded.

RESOLUTION #18-116

**AUTHORIZING THE PARTIAL REFUND OF
CONSTRUCTION PERMIT FEES**

WHEREAS, Doyle Brothers Contracting, LLC has requested the partial refund of permit fees from the Construction Code Office; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated May 7, 2018, and recommended the refund of permit fees in the amount of \$190.00, as follows:

<u>Block/Lot</u>	<u>Amount</u>
72.10/58	\$46.00
72.11/14	\$46.00
72.10/59	\$64.00
72.11/15	\$34.00
Total:	\$190.00

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that construction permit fees, in the amount of \$190.00 paid by Doyle Brothers Contracting, LLC is hereby refunded.

RESOLUTION #18-118

**A PROCLAMATION RECOGNIZING JOHN R. LANZA AND
JOHN E. LANZA AS RECIPIENTS OF THE RARITAN TOWNSHIP
REPUBLICAN CLUB 2018 COMMUNITY SERVICE AWARD**

WHEREAS, the Raritan Township Republican Club honors individuals for exemplary community and public service at their Annual Community Service Awards Dinner; and

WHEREAS, this year’s recipients of the Raritan Township Republican Club’s 2018 Community Service Award are Attorney, John R. Lanza and Freeholder, John E. Lanza; and

WHEREAS, this prestigious accolade is bestowed upon both individuals in grateful recognition of their remarkable record of community leadership, exemplary volunteerism and professional achievement; and

WHEREAS, Attorney, John R. Lanza, Esq., managing partner of Lanza & Lanza, LLP, has served the community as past president and trustee of the Hunterdon County Bar Association; as Chairman of the New Jersey Supreme Court District XIII Ethics Committee; as a member of the Hunterdon County Republican Committee for the City of Lambertville; as president of the White Game Club; and has volunteered as a lector, eucharistic minister and attorney for St. John the Evangelist Church; and

WHEREAS, John E. Lanza, Esq., Lanza & Lanza, LLP, has served the community as County Freeholder of the County of Hunterdon; as Appointee on the New Jersey Supreme Court District XIII Ethics Committee; as a member of the Hunterdon County Republican Committee for the City of Lambertville; as advisor to the 2017 Ciatterelli for Governor Campaign; as well as a volunteer and participant in numerous fundraising efforts for St. Baldrick Society, Friendly Sons of St. Patrick, and St. John the Evangelist Church; and

WHEREAS, the strength and success of the State of New Jersey, the vitality of its communities, and the effectiveness of our American society depend, in great measure, upon concerned and dedicated citizens, exemplified by John R. Lanza and John E. Lanza; and

NOW, THEREFORE BE IT PROCLAIMED, that I, Mayor Michael Mangin, on this tenth day of May, two-thousand eighteen, do hereby recognize and proclaim John R. Lanza and John E. Lanza as recipients of the Raritan Township Republican Club 2018 Community Service Award and express sincere congratulations and gratitude for their many years of service.

PRIVILEGE OF THE FLOOR

There was no public comment.

ADJOURNMENT

Mayor Mangin asked for a motion to adjourn.
Motion by Gilbert, seconded by Hazard
MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Lisa Fania, RMC
Township Clerk