RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, OCTOBER 15, 2019

MEETING CALLED: Mayor Kuhl called the regular meeting to order at 6:33 p.m.

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

ABSENT: None

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

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

Township Attorney, Ed Purcell, read Resolution #19-238 in full.

Mayor Kuhl asked for a motion to approve Closed Session Resolution.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #19-226

RESOLUTION RETIRING INTO EXECUTIVE SESSION

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231 P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township is of the opinion that such circumstances presently exist.

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

1. The public shall be excluded from discussion of the specified subject matter.
2. The general nature of the subject matter to be discussed is as follows:

a. Contract Negotiations: Stothoff Farmland Preservation
b. Personnel: Public Works New Hires; Class III Special Law Enforcement Officers
c. Attorney-Client Privilege:
d. Pending Litigation: Collins v. Raritan Township; McGuillicutty & Schwartz, LLC dba TAPinto FlemingtonRaritan.net v. Raritan Township, et. al

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 7:05 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Mayor Kuhl asked all to join in the Pledge of Allegiance to our flag and to remain standing for a moment of silence to remember our men and women serving in the Armed Forces and in particular those serving in troubled areas around the world.

AMEND/APPROVE THE AGENDA

Mayor Kuhl asked for a motion to amend or approve the Agenda.
Motion by Reiner, seconded by Gilbert to approve the Agenda.
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

PROCLAMATION – Recognizing Sergeant David Carson for Twenty Years of Service

Mayor Kuhl invited Sergeant Carson to the dais and read the proclamation into the record.

A PROCLAMATION RECOGNIZING SERGEANT DAVID CARSON FOR TWENTY YEARS OF SERVICE

WHEREAS, the Mayor and the Township Committee wish to recognize employees who attain milestones in their employment; and

WHEREAS, Sergeant David Carson has achieved twenty years of service with the Raritan Township Police Department; and

WHEREAS, Sergeant David Carson has provided outstanding public service and demonstrated exemplary performance throughout his career; and

WHEREAS, the success of the Raritan Township Police Department is dependent on the knowledge, professionalism and dedication of officers such as Sergeant David Carson.

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Jeff Kuhl, and the Township Committee of the Township of Raritan on this fifteenth day of October, two thousand nineteen do hereby recognize Sergeant David Carson for his service, efforts and dedication throughout his twenty years of service as an officer in the Raritan Township Police Department and extend sincere gratitude and congratulations on behalf of all citizens of the Township.

PROCLAMATION – Recognizing Sergeant Robert Landolina for Twenty Years of Service

Mayor Kuhl invited Sergeant Landolina to the dais and read the proclamation into the record.

A PROCLAMATION RECOGNIZING SERGEANT ROBERT LANDOLINA FOR TWENTY YEARS OF SERVICE

WHEREAS, the Mayor and the Township Committee wish to recognize employees who attain milestones in their employment; and

WHEREAS, Sergeant Robert Landolina has achieved twenty years of service with the Raritan Township Police Department; and

WHEREAS, Sergeant Robert Landolina has provided outstanding public service and demonstrated exemplary performance throughout his career; and

WHEREAS, the success of the Raritan Township Police Department is dependent on the knowledge, professionalism and dedication of officers such as Sergeant Robert Landolina.

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Jeff Kuhl, and the Township Committee of the Township of Raritan on this fifteenth day of October, two thousand nineteen do hereby recognize Sergeant Robert Landolina for his service, efforts and the dedication throughout his twenty years of service as an officer in the Raritan Township Police Department and extend sincere gratitude and congratulations on behalf of all citizens of the Township.

PROCLAMATION – Recognizing Assistant Supervisor of Accounts, Danielle Langreder for Twenty Years of Service. Mayor Kuhl read the proclamation into the record. Ms. Langreder was not in attendance.

A PROCLAMATION RECOGNIZING DANIELLE LANGREDER FOR TWENTY YEARS OF SERVICE

WHEREAS, the Mayor and the Township Committee wish to recognize employees who attain milestones in their employment; and

WHEREAS, Danielle Langreder has achieved twenty years of service with the Raritan Township Finance Department; and

WHEREAS, such recognition is bestowed upon Danielle Langreder for her dedication and exemplary performance; and

WHEREAS, the success of the Raritan Township Finance Department is dependent on the knowledge, professionalism and commitment of employees such as Danielle Langreder.

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Jeff Kuhl, and the Township Committee of the Township of Raritan on this fifteenth day of October, two thousand nineteen, do hereby recognize Danielle Langreder for her service, efforts and devotion throughout her twenty years of service as an employee in the Raritan Township Finance Department and extend sincere gratitude and congratulations on behalf of all citizens of the Township.

PROCLAMATION – Recognizing the Retirement of Sergeant Matthew Lawrence

Mayor Kuhl invited Sergeant Lawrence to the dais and read the proclamation into the record.

A PROCLAMATION RECOGNIZING THE RETIREMENT OF SERGEANT MATTHEW LAWRENCE

WHEREAS, the Mayor and the Township Committee wish to recognize employees who are retiring from employment with Raritan Township; and

WHEREAS, Sergeant Matthew Lawrence will be retiring after twenty -three plus years of distinguished service with the Raritan Township Police Department; and

WHEREAS, Sergeant Matthew Lawrence has dedicated himself to the highest standards of professionalism and excellence as a member of the Raritan Township Police Department; and

WHEREAS, Sergeant Matthew Lawrence began his career with the Raritan Township Police Department on October 22, 1996 where he was sworn in as a Patrolman; was one of only two officers to be certified for Motorcycle Patrol Duty and served as such until promotion to Detective in 2014; and then ultimately promoted to Sergeant in 2016; and

WHEREAS, Sergeant Matthew Lawrence has received many accolades from residents and Department Merit Citations throughout his career.

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Jeff Kuhl, and the Township Committee of the Township of Raritan on this fifteenth day of October, two thousand nineteen, hereby recognize Sergeant Matthew Lawrence for his distinguished service, contributions and commitment to excellence demonstrated throughout his twenty-three plus year career as a police officer with the Raritan Township Police Department and extend sincere gratitude, congratulations and best wishes in future endeavors.

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

The following members of the public spoke during public comment:

David Dockery, Esq., of the firm Becker & Poliakoff, representing the Mountain View at Hunterdon Homeowners' Association, began to express concerns on behalf of the homeowners regarding Toll's request for the release of performance guarantees.

Mr. Purcell advised Mr. Dockery that he will have an opportunity to speak at the scheduled public hearing on tonight's agenda.

There was no further public comment.

PUBLIC HEARING – Request of Toll NJ, LLP for release of Performance Guarantees for project known as Mountain View at Hunterdon, Block 44, Lot 24

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

Mr. Purcell explained that a public hearing is required prior to the release of performance guarantees for subdivision developments and that Toll NJ, LLP is seeking the release of its guarantees due to the completion of required public improvements. Mr. Purcell continued that Toll will be required to post a maintenance bond for those improvements for a two-year period.

Mayor Kuhl solicited public comment.

The following members of the public spoke during public comment:

Mr. Dockery advised that developer control transitioned to owner control on September 17, 2019 and that the Homeowners Association ("HOA") had only received the Township Engineer's report on October 11, 2019. Mr. Dockery continued that his firm had issued a letter on behalf of the HOA objecting to the bond release due to certain issues including the following:

*sidewalk, pavement repairs;
*unsafe conditions surrounding the construction trailer (requesting proper maintenance, fencing, landscaping);
*drainage;
*unsafe conditions of the detention basin.

Mr. Dockery explained that he is seeking a continuation of the public hearing to allow the HOA's engineer ample time to review the reports.

Tony Hajjar, Township Engineer, commented that "most of the stuff has been done and Toll is willing to redo some of the items that are in my list but they fall under a maintenance agreement, as they are already built." He further commented, "it is to my understanding that the office trailer is there for the benefit of the homeowners regarding warranty issues and will remain on site until the beginning of Spring." Mr. Hajjar advised that the Township will be retaining a $51,000.00 performance bond for several items that will be completed by the Spring.

Committee Member Reiner voiced no objection to the delay of action until the next regular meeting and spoke not in favor of any further delay if the requirements are met.

Committee Member Gilbert concurred "given the fact that they had less than two business days to read a document and digest that document and have their professional react."

Committee Member Hazard expressed support in favor of carrying to the next regular meeting.

During the public hearing, Committee Member Mangin inquired if the maintenance bond could be increased. Mr. Hajjar explained that the maintenance bond is fifteen percent (15%) of the original improvements or $835,000.00 for two years. Mr. Purcell added that the Township Committee has forty-five (45) days to act from the date of the Township Engineer's memo.

It was the consensus of the Township Committee to carry the public hearing and table action to the November 6, 2019 regular meeting.

RESOLUTION #19-251 – Authorizing the Release of Cash and Surety Performance Guarantees (Toll NJ, LLP)

Action was tabled to the November 6, 2019 regular meeting.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: $1,420,142.16

Mayor Kuhl asked for a motion to approve the bill list for Raritan Township.
Motion by Reiner, seconded by Hazard
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

Payment of Bills as listed for the Raritan Township Fire Company: $1,517.75

Mayor Kuhl asked for a motion to approve the bill list for the Raritan Township Fire Company.
Motion by Reiner, seconded by Gilbert
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None
RECUSE: Mangin

REPORTS

The following September reports were acknowledged by Committee Members:

*Animal Control
*Court
*Planning/Engineering Escrow Accounts

Committee Member Gilbert inquired about the expenses in the Planning/Engineering Escrow report for Poly Patel Hotel/Restaurant. Mr. Hajjar advised that all stormwater management is complete, that the foundation has been started, and that the project is moving forward.

LIAISON REPORTS

Karen Gilbert:

Environmental Commission/Green Team; Historians; Open Space; Parks and Recreation; Planning Board (Class III Member)

Committee Member Gilbert reported that the Environmental Commission has been involved with the distribution and collection of well testing kits as well as with the tree planting held October 5 at Walnut Brook; that discussions are ongoing with the Local Historians Committee regarding renovations to the schoolhouse; and that the Open Space Committee will be touring additional properties. Committee Member Gilbert advised that Mayor Kuhl and Mayor Driver of Flemington Borough had met to discuss the future of the Joint Parks and Recreation Committee for which there are items on tonight's agenda. Committee Member Gilbert also reported on a meeting of the Planning Board advising of the approval of an application by Summit Custom Spray for the installation of another drying apparatus to address ongoing odor complaints within the community.

Gary Hazard:

Court/Police; RTMUA

Committee Member Hazard announced the upcoming meeting date for the RTMUA (October 17) and deferred comment to Police Chief, Al Payne, regarding the Police Department.

During Liaison Reports, Chief Payne advised that the Police Department will be wearing pink shields on their vests and selling bracelets during the month of October in support of breast cancer awareness; will be participating in "No Shave" November; and collecting Toys for Tots.

Jeff Kuhl:
(Mayor)

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

Mayor Kuhl advised that students from Hunterdon County Polytech will begin renovations on the schoolhouse on October 21st and will continue on Thursday and Friday afternoons; that there are resolutions on tonight's agenda appointing Class III special law enforcement officers as well as new hires for the Department of Public Works; and reiterated that the Planning Board approved an application for the installation of a clarifier by the end of the year to address odor issues in the municipality.

Michael Mangin:
(Deputy Mayor)

Board of Health; Finance; Public Works

Deputy Mayor Mangin announced the upcoming meeting of the Board of Health (October 17) and that there will be a discussion on vaping. Deputy Mayor Mangin reported that Public Works has completed tar and chip seal, line striping and the paving of Bridal Path, and started leaf collection. Deputy Mayor Mangin also reported on new hires in Public Works.

At this time, Mayor Kuhl provided an update on the status of the reconstruction of Case Boulevard advising that the Township is awaiting New Jersey Department of Transportation (NJDOT) approval on the plans, as the Township received an NJDOT grant for this project and state approval is required.

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

Committee Member Reiner commented on the Raritan Township Fire Company's recent 9/11 Stair Climb advising that there were over two-hundred people in attendance.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Etzel Property Acquisition – Marie Newell, a representative of the New Jersey Conservation Foundation (NJCF), provided background on the property and spoke of the importance of preservation with respect to the Wickecheoke corridor. Ms. Newell explained that the Wickecheoke is a tributary that supplies drinking water for the Raritan canal; is a Class 1 category stream for trout production; and has flash flooding issues downstream. She continued that the corridor as well as the parcel has been identified by Hunterdon County, Raritan Township and the NJCF for preservation and protection.

Ms. Newell further explained that the Township has been awarded a Green Acres grant for up to $500,000.00 for preservation and that she is seeking to secure $147,500.00 this evening towards the preservation of this parcel.

Mayor Kuhl commented that the Open Space Advisory Committee has studied this parcel in depth.

Committee Member Gilbert extended gratitude to Ms. Newell for all of her efforts with the preservation of the Hollenback property.

There was no further discussion or comment.

ORDINANCES (INTRODUCTION/FIRST READING)

Mayor Kuhl read by title Ordinance #19-27.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF DEDICATION FOR THE ROADWAYS AT MOUNTAIN VIEW AT HUNTERDON, FORMERLY BLOCK 44, LOT 24, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Mayor Kuhl asked for a motion to introduce Ordinance #19-27 on first consideration.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None
ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 6, 2019.

Mayor Kuhl read by title Ordinance #19-28.

AN ORDINANCE REAPPROPRIATING $30,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE INSTALLATION OF THE DEPARTMENT OF PUBLIC WORKS POLE BUILDING CONCRETE FLOOR IN AND BY THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY

Mayor Kuhl asked for a motion to introduce Ordinance #19-28 on first consideration.
Motion by Mangin, seconded by Gilbert
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None
ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 6, 2019.

Mayor Kuhl read by title Ordinance #19-29.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY ADDING CHAPTER 2.113 ENTITLED "RECREATION DEPARTMENT" TO TITLE II ENTITLED "ADMINISTRATION AND PERSONNEL," OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN

Mayor Kuhl explained that the proposed ordinance establishes a recreation department within the Township. Mayor Kuhl advised that the joint parks and recreation agreement between the Township and Flemington Borough expired on December 31, 2018 and it was decided upon by both parties to temporarily extend the agreement until a decision regarding the committee's future was determined. He continued that based on investigations and discussions, the parties mutually agreed that the Township would take over the function. Mayor Kuhl advised that there will be no change in services and there will be a cost savings of at least $31,000.00. He added that Flemington Borough will continue with the Fourth of July fireworks.

Mayor Kuhl asked for a motion to introduce Ordinance #19-29 on first consideration.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None
ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 6, 2019.

At this time, Mr. Hutchins advised Committee Members that a consensus for action was needed for the Etzel property acquisition. Mr. Hutchins explained that he is seeking authorization for the introduction of an ordinance at the next regular meeting appropriating the funding requested by Ms. Newell. He continued that the appraisal was authorized in June and is complete; and that the Township will be reimbursed for fifty percent (50%) of the cost as well as any other soft costs. There was no further discussion. There were no objections. It was the consensus to proceed with an ordinance introduction at the next regular meeting.

Mayor Kuhl read by title Ordinance #19-30.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A ROADWAY EASEMENT OVER A PORTION OF A PARCEL IDENTIFIED AS BLOCK 77, LOT 7.02 ON THE TAX MAP OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

Mayor Kuhl explained that the proposed ordinance authorizes the acceptance of a roadway easement over a portion of the Case property.

Mayor Kuhl asked for a motion to introduce Ordinance #19-30 on first consideration.
Motion by Gilbert, seconded by Mangin
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None
ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 6, 2019.

ORDINANCES (PUBLIC HEARING/FINAL ADOPTION)

There were no ordinances.

CORRESPONDENCE

There was no correspondence.

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of October 1, 2019.

Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

Township Committee Executive Session Meeting Minutes

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes of October 1, 2019.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTIONS

Mayor Kuhl read Resolution #19-239 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-239.
Motion by Reiner, seconded by Gilbert
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #19-239

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE BOROUGH OF FLEMINGTON REGARDING THE DISSOLUTION OF THE JOINT FLEMINGTON-RARITAN PARKS AND RECREATION COMMITTEE

WHEREAS, since 1978, the Township of Raritan ("Township") and the Borough of Flemington ("Borough") have operated a joint meeting known as the "Joint Flemington-Raritan Parks and Recreation Committee" ("Joint Meeting"); and

WHEREAS, after the expiration of said Joint Meeting on December 31, 2018, the Township and Borough entered into a short-term agreement for the continuance of the Joint Meeting for the remainder of 2019; and

WHEREAS, said Joint Meeting shall expire on December 31, 2019; and

WHEREAS, the Township Committee wishes to enter into a Memorandum of Understanding ("MOU") with the Borough regarding the dissolution of the "Joint Flemington-Raritan Parks and Recreation Committee."

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, does hereby authorize the following:

The Mayor and Township Clerk shall execute the MOU attached hereto as Exhibit "A."

Mayor Kuhl read Resolution #19-240 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-240.
Motion by Hazard, seconded by Mangin
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION # 19-240

A RESOLUTION AUTHORIZING PAYMENT OF ACCUMULATED OVERTIME FOR RETIRING SERGEANT MATTHEW LAWRENCE

WHEREAS, the Township of Raritan employs Matthew Lawrence as Sergeant of Police; and

WHEREAS, Sergeant Matthew Lawrence has accumulated overtime in the amount of 52.16 days with a current value of $40,490.76; and

WHEREAS, Sergeant Matthew Lawrence is retiring effective February 1, 2020 and would be entitled to use this accumulated overtime as compensatory time upon his retirement or receive a payout of same at a higher cash value than its current value; and

WHEREAS, the Township is desirous to pay this accumulated overtime, as set forth above.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, does hereby authorize the payment of accumulated overtime to Sergeant Matthew Lawrence in the amount of $40,490.76.

Mayor Kuhl read Resolution #19-241 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-241.
Motion by Gilbert, seconded by Mangin
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #19-241

A RESOLUTION AUTHORIZING THE FULL-TIME EMPLOYMENT OF JOE L. CHIU IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there exists a vacancy in the Department of Public Works for the position of Public Works Personnel; and

WHEREAS, the Superintendent of Public Works, Brion Fleming, has interviewed prospective candidates and made a recommendation to Administrator, Donald Hutchins; and

WHEREAS, the Superintendent of Public Works, Brion Fleming, recommends Joe L. Chiu for the position of Department of Public Works Personnel.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Joe L. Chiu is hereby employed as Department of Public Works Personnel effective October 16, 2019 at the hourly rate of $20.47 as set forth in the Teamsters Local 469 Contract.

Mayor Kuhl read Resolution #19-242 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-242.
Motion by Gilbert, seconded by Mangin
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #19-242

A RESOLUTION AUTHORIZING THE FULL-TIME EMPLOYMENT OF JEREMY DANIEL KIEFER IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there exists a vacancy in the Department of Public Works for the position of Public Works Personnel; and

WHEREAS, Superintendent of Public Works, Brion Fleming, has interviewed prospective candidates and made a recommendation to Administrator, Donald Hutchins; and

WHEREAS, Superintendent of Public Works, Brion Fleming, recommends Jeremy Daniel Kiefer for the position of Department of Public Works Personnel.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that Jeremy Daniel Kiefer is hereby employed as Department of Public Works Personnel effective October 16, 2019 at the hourly rate of $20.47 as set forth in the Teamsters Local 469 Contract.

Mayor Kuhl read Resolution #19-243 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-243.
Motion by Gilbert, seconded by Mangin
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #19-243

A RESOLUTION AUTHORIZING THE FULL-TIME EMPLOYMENT OF DAVID WESLEY BROWN IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, there exists a vacancy in the Department of Public Works for the position of Public Works Personnel; and

WHEREAS, Superintendent of Public Works, Brion Fleming, has interviewed prospective candidates and made a recommendation to Administrator, Donald Hutchins; and

WHEREAS, Superintendent of Public Works, Brion Fleming, recommends David Wesley Brown for the position of Department of Public Works Personnel.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that David Wesley Brown is hereby employed as Department of Public Works Personnel effective October 16, 2019 at the hourly rate of $20.47 as set forth in the Teamsters Local 469 Contract.

Mayor Kuhl read Resolution #19-244 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-244.
Motion by Gilbert, seconded by Reiner
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #19-244

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY APPOINTING HARRY E. HULTS, JR. AS CLASS III SPECIAL LAW ENFORCEMENT OFFICER FOR THE REMAINDER OF THE 2019-2020 SCHOOL YEAR

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

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

WHEREAS, Section 2.56.200 of the Revised General Ordinances of the Township of Raritan sets forth the particular requirements of Class III Special Law Enforcement Officers; and

WHEREAS, Section 2.56.200(A) of the Revised General Ordinances of the Township of Raritan states that "Class III Special Law Enforcement Officer shall only be employed part-time, not to exceed, on average, thirty (30) hours per week per calendar year. Pursuant to N.J.S.A. 40A:14-146.16(9)(d), no Class III Special Law Enforcement Officer shall be eligible for health care benefits from the Township or enrollment in any state-administered retirement system;" and

WHEREAS, the Township Committee wishes to retain Class III Special Law Enforcement Officers to provide security at certain schools within the Township of Raritan; and

WHEREAS, the Township has conducted interviews of applicants and now wishes to hire Class III Special Law Enforcement Officers.

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

1. Harry E. Hults, Jr. is appointed as a Class III Special Law Enforcement Officer of the Township of Raritan at an hourly rate of $30.00 per hour not to exceed 1,500 hours per calendar year.
2. The terms and conditions of Mr. Hults' employment are governed by Section 2.56.200 of the Revised General Ordinances of the Township of Raritan and Chapter 68.
3. Notwithstanding the foregoing, the term of Mr. Hults' employment with the Township shall begin upon the date of adoption of this resolution and shall terminate on July 1, 2020, unless otherwise terminated earlier.

4. Notwithstanding the foregoing, Mr. Hults is an at-will employee of the Township and the Township may revoke such appointment without cause or hearing at the discretion of the Township Committee.

Mayor Kuhl read Resolution #19-245 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-245.
Motion by Hazard, seconded by Reiner
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #19-245

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY APPOINTING JOYCE P. HANSHAW AS CLASS III SPECIAL LAW ENFORCEMENT OFFICER FOR THE REMAINDER OF THE 2019-2020 SCHOOL YEAR

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

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

WHEREAS, Section 2.56.200 of the Revised General Ordinances of the Township of Raritan sets forth the particular requirements of Class III Special Law Enforcement Officers; and

WHEREAS, Section 2.56.200(A) of the Revised General Ordinances of the Township of Raritan states that "Class III Special Law Enforcement Officer shall only be employed part-time, not to exceed, on average, thirty (30) hours per week per calendar year. Pursuant to N.J.S.A. 40A:14-146.16(9)(d), no Class III Special Law Enforcement Officer shall be eligible for health care benefits from the Township or enrollment in any state-administered retirement system;" and

WHEREAS, the Township Committee wishes to retain Class III Special Law Enforcement Officers to provide security at certain schools within the Township of Raritan; and

WHEREAS, the Township has conducted interviews of applicants and now wishes to hire Class III Special Law Enforcement Officers.

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

1. Joyce P. Hanshaw is appointed as a Class III Special Law Enforcement Officer of the Township of Raritan at an hourly rate of $30.00 per hour not to exceed 1,500 hours per calendar year.
2. The terms and conditions of Ms. Hanshaw's employment are governed by Section 2.56.200 of the Revised General Ordinances of the Township of Raritan and Chapter 68.
3. Notwithstanding the foregoing, the term of Ms. Hanshaw's employment with the Township shall begin upon the date of adoption of this resolution and shall terminate on July 1, 2020, unless otherwise terminated earlier.
4. Notwithstanding the foregoing, Ms. Hanshaw is an at-will employee of the Township and the Township may revoke such appointment without cause or hearing at the discretion of the Township Committee.

Mayor Kuhl read Resolution #19-246 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-246.
Motion by Hazard, seconded by Mangin
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #19-246

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY APPOINTING MICHAEL P. FITZPATRICK AS CLASS III SPECIAL LAW ENFORCEMENT OFFICER FOR THE REMAINDER OF THE 2019-2020 SCHOOL YEAR

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

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

WHEREAS, Section 2.56.200 of the Revised General Ordinances of the Township of Raritan sets forth the particular requirements of Class III Special Law Enforcement Officers; and

WHEREAS, Section 2.56.200(A) of the Revised General Ordinances of the Township of Raritan states that "Class III Special Law Enforcement Officer shall only be employed part-time, not to exceed, on average, thirty (30) hours per week per calendar year. Pursuant to N.J.S.A. 40A:14-146.16(9)(d), no Class III Special Law Enforcement Officer shall be eligible for health care benefits from the Township or enrollment in any state-administered retirement system;" and

WHEREAS, the Township Committee wishes to retain Class III Special Law Enforcement Officers to provide security at certain schools within the Township of Raritan; and

WHEREAS, the Township has conducted interviews of applicants and now wishes to hire Class III Special Law Enforcement Officers.

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

1. Michael P. Fitzpatrick is appointed as a Class III Special Law Enforcement Officer of the Township of Raritan at an hourly rate of $30.00 per hour not to exceed 1,500 hours per calendar year.
2. The terms and conditions of Mr. Fitzpatrick's employment are governed by Section 2.56.200 of the Revised General Ordinances of the Township of Raritan and Chapter 68.
3. Notwithstanding the foregoing, the term of Mr. Fitzpatrick's employment with the Township shall begin upon the date of adoption of this resolution and shall terminate on July 1, 2020, unless otherwise terminated earlier.
4. Notwithstanding the foregoing, Mr. Fitzpatrick is an at-will employee of the Township and the Township may revoke such appointment without cause or hearing at the discretion of the Township Committee.

OATH OF OFFICE – Committee Member Hazard administered the Oath of Office to the newly appointed Class III Special Law Enforcement Officers.

CONSENT AGENDA

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

Mayor Kuhl asked for a motion to approve the Consent Agenda.
Motion by Reiner, seconded by Gilbert
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #19-247

A RESOLUTION AUTHORIZING THE RETURN OF AN INSPECTION ESCROW (ST. MAGDALEN CHURCH)

WHEREAS, St. Magdalen Church has requested the return of its inspection escrow; and

WHEREAS, Kristi Gano, Payroll/Benefits Coordinator, has submitted a memo dated September 27, 2019 and recommended the return of the following inspection escrow:

St. Magdalen Church	$622.80

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan that the inspection escrow posted by St. Magdalen Church in the amount of $622.80 is hereby returned.

RESOLUTION #19-248

A RESOLUTION AUTHORIZING A REDUCTION IN SURETY AND CASH PERFORMANCE GUARANTEES FOR NORTH BRIDGE PROPERTIES (BLOCK 36.04, LOTS 76.02, 76.03)

WHEREAS, North Bridge Properties posted a surety bond in the amount of $194,221.80 and a cash performance bond in the amount of $21,580.20; and

WHEREAS, North Bridge Properties has requested a reduction of its surety and cash bonds; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends a reduction of the surety bond from $194,221.80 to $97,736.22 and a reduction of the cash performance bond from $21,580.20 plus any accrued interest to $10,859.58.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the surety bond is reduced to $97,736.22 and the cash performance bond is reduced to $10,859.58.

RESOLUTION #19-249

A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR A RECREATION TRUST FUND REQUIRED BY N.J.S.A. 40A:48-2.56

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance; and

WHEREAS, N.J.S.A. 40A:48-2.56 provides for the receipt of recreation programs by the municipality to provide for the operating costs to administer this act; and

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Recreation Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement.

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 Township Committee does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Recreation Trust Fund in accordance with N.J.S.A. 40:48-2.56.
2. The Municipal Clerk of the Township of Raritan, County of Hunterdon is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

RESOLUTION #19-250

A RESOLUTION AUTHORIZING 2019 TAX REFUNDS

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

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

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

Taxpayer	Block	Lot	Qual.	Amount
MR Development Corp. (169 HWY 31)	15	70	Q0150	$11,429.01
Arlene Cunningham c/o K. Cunningham (91 Becks Blvd)	93	12		$636.09
Healthquest Properties, LLC (1 Healthquest Blvd)	9	15.01	C0002	$5,055.16
Joseph E. Ziegler (42 Oak Grove Road)	13	14		$2,211.56

Taxpayer	Blk	Lot	Qual.	Amount
George A. Arab Family Trust (135 Oak Grove Road)	20	1	Q0182	$103.13
Edward Ponzini (77 Oak Grove Road)	22	2.02		$774.30
Edward Ponzini (73 Oak Grove Road)	22	2.03		$774.30
Pulte Homes of NJ, LP (Case Boulevard)	36.06	1		$199.04
Nafees Anjum (307 Old York Road)	79	18.25	Q0481	$181.53
			TOTAL:	**$21,364.12**

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

John MacKay, a resident of 122 Featherbed Lane, inquired as to what criteria the Township uses to hire a contractor; expressed dissatisfaction for the quality of work that has been done; and commented on the need for new courtroom chairs.

During Public Comment, Mr. Purcell advised that contract and bid awards are subject to Local Public Contracts Law depending on the scope of the project and subject to prevailing wage requirements. Mr. Hutchins commented that awards are granted to the "lowest qualified bid." Mr. Hutchins advised that chairs have been ordered and explained the twenty-one day wait period required pursuant to Local Bond Law for the spending of funds appropriated through a bond ordinance.

ADJOURNMENT
Mayor Kuhl asked for a motion to adjourn.
Motion by Reiner, seconded by Hazard
MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:03 p.m.

Respectfully submitted,

_____
Lisa Fania, RMC
Township Clerk