

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, DECEMBER 17, 2019**

MEETING CALLED: Mayor Kuhl called the regular meeting to order at 6:34 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; Township Attorney, Ed Purcell; Committee Member-elect Scott MacDade; Office of Emergency Management Coordinator, Chris Phelan; Township Engineer, Antoine Hajjar; Chief of Police, Al Payne

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 #19-282 in full.

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

ROLL CALL VOTE:

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

RESOLUTION #19-273

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: PSE&G Agreement; Code Blue
 - b. Personnel:
 - c. Attorney-Client Privilege: Holzi Property Acquisition; Ubel Property Proposed Amendment to Upper Raritan Water Quality Management Plan
 - 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

Mr. Phelan, Mr. Hajjar and Chief Payne left the meeting following closed session.

The regular meeting reconvened at 7:04 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 Hazard to approve the Agenda.

ROLL CALL VOTE:

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

Mayor Kuhl read Resolution #19-290 in full.
Mayor Kuhl asked for a motion to adopt Resolution #19-290.
Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

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

RESOLUTION #19-290 – Honoring Michael Mangin for his Service as Township Committeeman

Committee Member Gilbert commented, “Its been a great ride, you were instrumental in getting me on this committee years ago and sometimes I curse you for that and sometimes I thank you for that. But truly its been an honor to work with you. I am really going to miss you.”

Committee Member Reiner commented, “it has been the honor of my lifetime to work with you as a Township Committee person. You were always calm, cool and steady at the helm and valuable counsel to me. I would like to think I made one hell of a friend in the process of our time on the committee together. We went through some rocky times together but we transformed the Township together with all of the help of the phenomenal staff we have here and all of the Township employees.... You have the community’s gratitude and my thanks.”

Committee Member Hazard commented, “I want to thank Mike for his service to the community. I think what a lot of times people don’t see is the selflessness that somebody like Mike has, as do many of our volunteers that are in this room today. Mike has always been here to serve the community. There was nothing to gain for him except to help the people in this community. Mike was always available, always cool-headed, always ethical and it has been an honor to serve with him....”

Mayor Kuhl commented, "I first met Mike when he was fire chief. After talking to you, I was very impressed. I always thought a lot of you and I still do think a lot of you and really appreciate all you have done selflessly for the Township through your different roles on the Planning Board, Township Committee, Fire Company, and Board of Health. You will be really missed. We do appreciate it."

RESOLUTION #19-290

A RESOLUTION HONORING MICHAEL MANGIN FOR HIS SERVICE AS TOWNSHIP COMMITTEEMAN AND MAYOR

WHEREAS, on this 17th day of December, 2019, the Township Committee desires to recognize Committeeman, Michael Mangin for his service to the community throughout the past nine years; and

WHEREAS, Michael Mangin was first elected to the Township Committee in two thousand eleven and was elected for an additional two terms; and

WHEREAS, Michael Mangin was appointed Mayor in 2013 and 2018; and

WHEREAS, Michael Mangin also served on the Planning Board and as liaison to other Township Boards and Committees; and

WHEREAS, Michael Mangin's allegiance to the betterment of the community is further exemplified by his years of service on the Raritan Township Fire Company including his position as past Fire Chief; and

WHEREAS, it is truly appropriate for the Township of Raritan to acknowledge Michael Mangin as an outstanding individual for his dedication and contributions to the Township of Raritan.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Township Committee, of the Township of Raritan, County of Hunterdon, State of New Jersey wish to hereby express heartfelt gratitude and appreciation for the years of service Michael Mangin has selflessly contributed during his term as a member of the Township Committee. Michael Mangin has demonstrated characteristics of citizenship, public service and devotion to community that are in keeping with the highest traditions of our republic.

BE IT FURTHER RESOLVED, that the Mayor and the Township Committee, the staff and all the citizens of Raritan Township wish Michael Mangin best wishes for success and fulfillment in his 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:

Barbara Sachau, a resident of 2 Glenway Drive, inquired about several items on the bill list including a \$32.00 parking ticket, and the cost for the Township Engineer to attend a surveyor convention; and voiced opinion on the importance of OPRA in regards to the proposed resolution on tonight's agenda.

Eileen Mulcharik, a resident of 91 Old Clinton Road, expressed concern regarding the frequency of power outages and the number of dead ash trees in the vicinity of Old Clinton Road.

John Mackay, a resident of 122 Featherbed Lane, inquired as to why the Township is studying OPRA.

During Public Comment, Mayor Kuhl advised that the parking ticket will be removed from the bill list; Mr. Hutchins explained that the Township Engineer is a licensed surveyor who provides such services to the Township at a significant savings; Mr. Purcell explained that the Township is not studying OPRA but that the legislature wants to create a study commission to examine the different aspects of the law and perhaps recommend improvements. Mr. Purcell also responded to concerns raised regarding the removal of the dead ash trees along Old Clinton Road advising that the Board of Public Utilities has vegetative management rules for removal of danger trees next to power lines. Mr. Hutchins continued that Jersey Central Power and Light (JCP&L) has been aggressively trimming in the Township over the last several years. He explained that the Township's Department of Public Works performs an assessment and will remove trees in the Right-of-Way if not near the power lines; in that case JCP&L will.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: \$284,166.05

At this time, Mayor Kuhl advised of the removal of a \$32.00 payment for a parking ticket and that the bill list total be amended to \$284,134.05.

Mayor Kuhl asked for a motion to approve the bill list for Raritan Township as amended in the amount of \$284,134.05.

Motion by Mangin, 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 Raritan Township Fire Company: \$192.33

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

ROLL CALL VOTE:

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

REPORTS

The following November reports were acknowledged by Committee Members:

- *Animal Control
- *Court
- *Planning/Engineering Escrow Accounts
- *Tax Collector
- *Public Works – December 2-3 and 11, 2019 snow removal

LIAISON REPORTS

Karen Gilbert: Environmental Commission/Green Team; Historians; Open Space; Parks and Recreation; Planning Board (Class III Member)
Committee Member Gilbert reported on a meeting of the Planning Board advising of one application by Chimney Rock for additional employee parking.

Gary Hazard: Court/Police; RTMUA
Committee Member Hazard reported that Judge Mennen is doing a great job running the Court.

Jeff Kuhl: Planning Board (Class I Member); Personnel; Finance; Historians; Open Space
(Mayor)
Mayor Kuhl reported on a meeting of the Planning Board reiterating that one application was presented for additional employee parking at Chimney Rock; that the Open Space Advisory Committee met to discuss different properties; that the schoolhouse renovations continue with the help of the Polytech students and contributions from Lowes; and that discussions are underway regarding the 2020 Municipal Budget.

Michael Mangin: Board of Health; Finance; Public Works
(Deputy Mayor) Deputy Mayor Mangin announced the upcoming meeting (December 19) of the Board of Health; and acknowledged Brian Taggart, Department of Public Works, for achieving Certified Public Works Manager certification, and Michael Rasile, Department of Public Works, for Certified Playground Safety Inspector certification.

Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Wildlife Management Advisory Committee
Committee Member Reiner commended the efforts of all first responders during inclement weather and Judge Mennen for his service to the community.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

a. **2020 Board/Committee and Professional Appointments –**

Mayor Kuhl referred to the draft resolution regarding the proposed 2020 appointments to boards and committees. Mayor Kuhl advised that two vacancies exist for the Wildlife Management Advisory Committee for which John Giotis has expressed interest in and that those currently serving on the Open Space Advisory Committee and Environmental Commission are also seeking reappointment. Mr. Hutchins added that Tom Camporeale has expressed interest in serving on the Board of Health and that members currently serving on the Agriculture Advisory Committee and Green Team have expressed interest in reappointment as well.

A brief discussion was held among Committee Members regarding timing for a final decision regarding the proposed appointments and background information of those seeking reappointment.

Municipal Clerk, Lisa Fania, clarified that the draft resolution is a working document for review and discussion. Ms. Fania pointed out that the Mayoral appointments and reappointment of John Tully on the RTMUA are included in same document for consideration. She also advised that no backup was provided for those interested in appointment to the Board of Health as that will be decided in early 2020.

There were no objections to the proposed appointments for 2020. It was the consensus that Ms. Fania forward all resumes/letters of interest to the Township Committee for review. Committee Members also concurred to proceed with a resolution reappointing John Tully to the RTMUA at the January 21 regular meeting.

ORDINANCES (INTRODUCTION/FIRST READING)

There were no ordinances.

ORDINANCES (PUBLIC HEARING/FINAL ADOPTION)

Mayor Kuhl read by title Ordinance #19-34.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING ORDINANCE #18-6 ESTABLISHING A SALARY AND WAGE PLAN FOR THE YEAR 2018-2019 FOR EMPLOYEES NOT COVERED BY A BARGAINING AGREEMENT AND PROVIDING FOR THE ADMINISTRATION THEREOF

Mayor Kuhl asked for a motion to open the public hearing.

Motion by Mangin, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-34 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised December 6, 2019 the Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE # 19-34

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING ORDINANCE #18-6 ESTABLISHING A SALARY AND WAGE PLAN FOR THE YEAR 2018-2019 FOR EMPLOYEES NOT COVERED BY A BARGAINING AGREEMENT AND PROVIDING FOR THE ADMINISTRATION THEREOF

BE IT ORDAINED by the Mayor and Township Committee of the Township of Raritan as follows:

Section I. The Salary and Wage Plan for 2018-2019 for employees not covered by a bargaining agreement shall be as follows:

<u>A.</u>	<u>PART-TIME POSITIONS</u>	<u>MIN.</u>	<u>MAX.</u>
	Mayor	\$1,000	\$ 7,400
	Township Committee	\$1,000	\$ 6,400
	Municipal Judge	\$23,000	\$47,500
	Prosecutor	\$13,000	\$30,000
	Municipal Public Defender	\$4,000	\$8,500
	Emergency Management Officer	\$3,000	\$ 6,000
	IT/Communications Coordinator	\$2,000	\$ 2,000
	Public Works Seasonal	\$8.00 per hour	\$11.35 per hour
	Search Officer for Improvements	\$600	\$ 800
	Interns	\$1,000	\$ 1,000
	Crossing Guard	\$15.00 per hour	\$29.06 per hour
	Deputy Clerk	\$15.00 per hour	\$24.00 per hour
<u>B.</u>	<u>FULL-TIME POSITIONS</u>		
	<u>GROUP 1</u>	\$28,000	\$45,000
	Administrative Secretary		
	Deputy Township Clerk/Clerical Assistant		
	<u>GROUP 2</u>	\$40,000	\$62,750
	Administrator's Assistant/ Purchasing Coordinator		
	<u>GROUP 3</u>	\$62,000	\$102,500
	Township Clerk		
	Tax Assessor		

	<u>MIN.</u>	<u>MAX</u>
<u>GROUP 4</u>	\$97,000	\$165,300
Administrator		
Chief of Police		
Chief Financial Officer		

Section II. ATTENDANCE AT BOARD MEETINGS OR COURT SESSIONS

A. The Municipal Judge and Prosecutor shall receive additional compensation for daytime court sessions at the rate of **\$155.00** per hour only when such sessions are in addition to the regularly scheduled daytime court sessions.

B. Employees in positions who are required to attend evening meetings as a Board Secretary will be compensated as follows:

Minimum compensation	\$30.00
Hourly rate	\$17.00

Section III. COMPENSATION FOR TEMPORARY, SEASONAL, PART-TIME HOURLY AND OTHER EMPLOYEES

The rates of compensation for temporary, seasonal and other employees for whom no other method of compensation is provided herein shall be established by the Administrator in accordance with the 2019 Budget. The rate of compensation for part-time hourly positions for titles contained in this ordinance shall be in accordance with the respective ranges for said titles.

Section IV. LONGEVITY

All full-time employees (35-hour work week) hired prior to January 1, 2006 shall have longevity rolled into the base salary as follows:

After five (5) years of service	\$1,000.00
After eight (8) years of service	\$1,500.00
After ten (10) years of service	\$2,000.00
After thirteen (13) years of service	\$2,500.00
After fifteen (15) years of service	\$3,000.00

There shall be no longevity for employees hired after January 1, 2006.

Section V. MILEAGE AND CAR ALLOWANCES

A. All employees using a personal vehicle in the pursuit of Township business shall be compensated at the rate per mile as set by the I.R.S. annually. Employees receiving a car allowance are excluded from this provision.

B. The following positions will receive car allowances in the annual amounts indicated in lieu of a township vehicle:

Chief of Police \$3,780.00

Section VI. CLOTHING ALLOWANCES

The following position will receive an annual clothing allowance in the annual amount indicated:

Chief of Police \$1,200.00

Section VII. ADMINISTRATION

The administration of the salary and wage plan established by this ordinance shall be the responsibility of the Administrator or other designated person and shall be implemented in accordance with the 2019 Budget and with such other policies, rules and regulations as may be adopted from time to time by the Township Committee.

Section VIII. Any ordinance or part of any ordinance inconsistent with this ordinance is hereby repealed.

Section IX. This ordinance shall be in full force and effective upon final adoption and publication in accordance with the law.

Mayor Kuhl read by title Ordinance #19-35.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING ORDINANCE #18-7 ESTABLISHING A SALARY, WAGE AND COMPENSATION PLAN FOR THE YEAR 2018-2019 FOR EMPLOYEES IN THE CWA LOCAL 1040 WHITE COLLAR BARGAINING UNIT AND PROVIDING FOR THE ADMINISTRATION THEREOF

Mayor Kuhl asked for a motion to open the public hearing.

Motion by Gilbert, seconded by Mangin

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-35 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Hazard

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised December 6, 2019 the Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #19-35

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING ORDINANCE #18-7 ESTABLISHING A SALARY, WAGE AND COMPENSATION PLAN FOR THE YEAR 2018-2019 FOR EMPLOYEES IN THE CWA LOCAL 1040 WHITE COLLAR BARGAINING UNIT AND PROVIDING FOR THE ADMINISTRATION THEREOF

BE IT ORDAINED by the Mayor and Township Committee of the Township of Raritan as follows:

Section I. The Salary and Wage Plan for employees whose positions are represented by CWA Local 1040 White Collar bargaining unit for the years 2018 - 2019 shall be as follows:

	<u>Minimum</u>	<u>Maximum</u>
Group 1 Clerk Typist	\$22,000	\$28,000
<u>Group 2</u> Civilian Police Desk Operator Tax Clerk	\$25,000	\$38,250
<u>Group 3</u> Administrative Secretary Administrative Secretary/Deputy Registrar Assessing Clerk Construction Control Person Construction Office Coordinator/Secretary Deputy Court Administrator Violations Clerk	\$28,000	\$53,500

	<u>Minimum</u>	<u>Maximum</u>
<u>Group 4</u>	\$31,000	\$63,000
Assistant Tax Collector		
Assistant Supervisor of Accounts		
Engineering Aide/Inspector		
Executive Secretary		
Office Manager (Police)		
Planner/Planning Board Secretary		
Property Code/Zoning Inspector		
Registrar of Vital Statistics		
<u>Group 5</u>	\$40,000	\$67,000
Fire Prevention Inspector		
Assistant Tax Assessor		
<u>Group 6</u>	\$46,000	\$85,000
Uniform Construction Code Inspectors		
Senior Engineering Assistant		

Section II. The hourly rates for part-time positions shall be based on the full-time rate for the position.

Section III. LONGEVITY

All full-time employees (min. 35 hours) hired prior to January 1, 2006 shall have their longevity rolled into their base salary as follows:

After five (5) years of service	\$1,000
After eight (8) years of service	\$1,500
After ten (10) years of service	\$2,000
After thirteen (13) years of service	\$2,500
After fifteen (15) years of service	\$3,000

There shall be no longevity payments for employees hired after January 1, 2006.

Section IV. ATTENDANCE AT BOARD MEETINGS OR COURT SESSIONS

Employees whose duties involve attendance at evening meetings or court sessions will be additionally compensated as follows:

Minimum compensation per meeting/session	\$30.00
Hourly rate for length of meeting/session	\$17.00

The number of hours shall be rounded off to the nearest half hour increment.

Section V.

Any ordinance or part of any ordinance inconsistent with the underlying contract is hereby repealed.

Section VI.

This ordinance shall be in full force and effective upon adoption and publication in accordance with the law.

Mayor Kuhl read by title Ordinance #19-36.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING SECTION 2.88.020 ENTITLED "FUNDING OF OPEN SPACE TRUST FUND" OF CHAPTER 2.88 ENTITLED "OPEN SPACE ADVISORY COMMITTEE AND TRUST FUND" OF TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN

Mayor Kuhl asked for a motion to open the public hearing.

Motion by Mangin, seconded by Gilbert

MOTION UNANIMOUSLY CARRIED

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenway Drive, advised that the Hunterdon County Freeholders approved the Township's open space acquisition assistance grant for the Brownstein property located at block 22, lots 25.03 and 24 (approximately 32 acres) in an amount not to exceed \$135,925.00

At this time, Committee Member Gilbert clarified that the open space tax rate schedule continues to 2021 and that the Township will have to take action to continue thereafter regarding said tax rate.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-36 on final consideration, same to be published according to law.

Motion by Hazard, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised December 6, 2019 the Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #19-36

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AMENDING SECTION 2.88.020 ENTITLED "FUNDING OF OPEN SPACE TRUST FUND" OF CHAPTER 2.88 ENTITLED "OPEN SPACE ADVISORY COMMITTEE AND TRUST FUND" OF TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN

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 2.88.020 entitled "Funding of Open Space Trust Fund" of Chapter 2.88 entitled "Open Space Advisory Committee and Trust Fund" of Title 2 entitled "Administration and Personnel" of the Revised General Ordinances of the Township of Raritan is hereby amended as follows:

In 1997, a special tax rate shall be added to the total Township tax rate in the amount of two cents (\$0.02) per one hundred dollars (\$100.00) of the 1997 assessed valuation and each succeeding year's valuation with the funds raised therefrom to be deposited in the reserve for open space funds. The special tax rate shall remain the applicable tax rate to be applied for the reserve for open space funds in succeeding years. Effective in the year 2008 the special tax rate shall be one and one-half cents (\$.015) of said assessed valuation. Effective in the year 2017, the special tax rate shall be modified as follows:

Year	Special Tax Rate
2017	1.5 cents per 100 dollars of said assessed valuation
2018	1.0 cents per 100 dollars of said assessed valuation
2019	0.8 cents per 100 dollars of said assessed valuation
2020	0. 8 5 cents per 100 dollars of said assessed valuation
2021	0. 8 5 cents per 100 dollars of said assessed valuation

....

Section 2. If any article, section, subsection, sentence clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect.

Section 3. In the event of any inconsistencies between the provisions of this Ordinance and any prior Ordinance of the Township of Raritan, the provisions hereof shall be determined to govern. All other parts and provisions of the Revised General Ordinances of the Township of Raritan are hereby ratified and confirmed, except where inconsistent with the terms hereof.

Section 4. This Ordinance shall take effect upon final passage and publication according to law.

Mayor Kuhl read by title Ordinance #19-37.

AN ORDINANCE ACCEPTING A DEED OF DEDICATION AND A CONSERVATION EASEMENT FROM M&P RETIREMENT PLAN WITH REGARD TO LOT 12, BLOCK 13 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

Mayor Kuhl asked for a motion to open the public hearing.

Motion by Gilbert, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

There was no public comment.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-37 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised December 6, 2019 the Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #19-37

AN ORDINANCE ACCEPTING A DEED OF DEDICATION AND A CONSERVATION EASEMENT FROM M&P RETIREMENT PLAN WITH REGARD TO LOT 12, BLOCK 13 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

WHEREAS, M&P Retirement Plan is the owner of property located at Lot 12 in Block 13 (the "Property") as shown on the Tax Map of the Township of Raritan; and

WHEREAS, on July 24, 2019 (the "Applicant") received minor subdivision approval (the "Approval") for the Property from the Raritan Township Planning Board (the "Board"),

Application S-1435-M, which Approval was memorialized by a Resolution of Approval No.17-2019 adopted on September 25, 2019 and amended by Planning Board Resolution 12-2018A adopted on January 9, 2019; and

WHEREAS, as a condition of the Approval, the Board required Applicant to grant to the Township a Deed of Dedication and a Conservation Easement; and

WHEREAS, the proposed Deed of Dedication and Conservation Easement have been reviewed and approved by the Raritan Township Attorney and Township Engineer; and

WHEREAS, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, wishes to accept the Deed of Dedication and Conservation Easement from Applicant.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that it hereby authorizes acceptance of the Deed of Dedication and Conservation Easement attached hereto; and

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon its adoption, passage and publication according to law.

CORRESPONDENCE

NJDOT Grant Award for Hart Boulevard – Mayor Kuhl announced that the Township had received a grant in the amount of \$175,000.00 from the New Jersey Department of Transportation’s (NJDOT) Fiscal Year 2020 Municipal Aid Program for the Hart Boulevard resurfacing and base repair project.

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of December 3, 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 December 3, 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 #19-283 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-283.

Motion by Reiner, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-283

**A RESOLUTION APPOINTING CHRISTOPHER PHELAN AS MUNICIPAL
EMERGENCY MANAGEMENT COORDINATOR**

WHEREAS, N.J.S.A. Appendix A:9-33 et seq. requires every municipality in the state to appoint a Municipal Emergency Management Coordinator; and

WHEREAS, the appointment of a Municipal Emergency Management Coordinator is made by the Mayor for a term of three years; and

WHEREAS, Mayor Jeff Kuhl desires to fill the position of Municipal Emergency Management Coordinator.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that Christopher J. Phelan is appointed the Municipal Emergency Management Coordinator effective: January 1, 2020 to December 31, 2022.

OATH OF OFFICE TO EMERGENCY MANAGEMENT COORDINATOR - Mayor Kuhl administered the Oath of Office to Christopher Phelan.

Mayor Kuhl read Resolution #19-284 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-284.
Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

RESOLUTION #19-284

**A RESOLUTION AUTHORIZING THE 2020 APPOINTMENT OF DEPUTY
COORDINATORS IN THE OFFICE OF EMERGENCY MANAGEMENT**

WHEREAS, the Township of Raritan is required to have an Emergency Operations Plan to provide for actions to be taken to mitigate, prepare for, respond to and recover from the effects of an emergency; and

WHEREAS, the members of the Office of Emergency Management (OEM) must be appointed by resolution of the governing body.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following individuals are hereby appointed as Deputy OEM Coordinators for a one-year term effective January 1, 2020:

Don Gootee
William H. Pandos
John Trimmer
Frank Veneziale
Gregory Veneziale
Tony Veneziale
Chris Wilt
Daniel "DJ" Wright

**OATH OF OFFICE TO DEPUTY COORDINATORS IN THE OFFICE OF EMERGENCY
MANAGEMENT** - Mayor Kuhl administered the Oath of Office to 2020 appointees.

Mayor Kuhl read Resolution #19-285 by title.

Mr. Purcell explained that the proposed resolution is seeking the legislature to form a study commission to review and examine the Open Public Records Act and to make recommendations for improving a complicated statute that deals with a lot of municipal functions. Mr. Purcell

clarified that this is an initiative on behalf of the New Jersey League of Municipalities and not the Township.

Mayor Kuhl asked for a motion to adopt Resolution #19-285.
Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

RESOLUTION #19-285

**A RESOLUTION REQUESTING THE LEGISLATURE FORM A STUDY
COMMISSION TO REVIEW AND EXAMINE THE EFFECTS OF OPRA ON
LOCAL GOVERNMENT**

WHEREAS, the Township of Raritan strongly believes in and supports open transparent government and that citizens and residents have the right to be informed about the workings of government in order to best participate in a democracy; and

WHEREAS, on January 8, 2002 then Acting Governor DiFrancesco signed into law the Open Public Records Act (OPRA) which mandates that government records shall be available, with limited exceptions, for public access and simplifying the procedures for requesting such specific records; and

WHEREAS, the intent of the law was to provide the public with easy access to government records with an uncomplicated process for obtaining the records and eliminating bureaucratic red tape; and

WHEREAS, over the course of eighteen (18) years, OPRA has been a positive light but it has also been fraught with abuse and misuse and has become an unanticipated financial cost to the taxpayers of New Jersey; and

WHEREAS, the Township of Raritan has labored under a well-intended law that has spiraled out of control due to the volume and nature of requests; the cost to taxpayers in responding to requests; and the potential liability in having to pay disproportionate prevailing party attorney's fees should the requests turn into litigated matters, as well as the liability in determining which documents shall be released, with or without redaction, while attempting to maintain individual privacy; and

WHEREAS, it is not only the volume of OPRA requests that challenge our resources but it is also the cost associated with reviewing, retrieving, and processing the OPRA request(s) by public entity personnel and counsel and possibly defending our action(s) before the Government Records Council or in Superior Court; and

WHEREAS, the Township of Raritan received and responded to 392 OPRA requests in 2017; 502 OPRA requests in 2018; and 594 OPRA requests as of December 13, 2019; and

WHEREAS, the Township of Raritan municipal staff has spent approximately 1,920 hours responding to OPRA requests received in 2019 to date; and

WHEREAS, due to the often conflicting case law and Government Records Council decisions, as well as the unique characteristics of OPRA requests, the Township of Raritan must often times rely on the municipal attorney to review certain OPRA requests, which have resulted in additional fees including litigation and settlement costs of approximately \$10,000.00 to date for 2019 in response to OPRA requests; and

WHEREAS, with limited exceptions, OPRA has not been amended to address the clear and apparent advancement in technology that has changed the way government records are created, stored, and/or transmitted; the various interpretive decisions; privacy concerns; abuse for commercial gain; and/or the ever-increasing cost to taxpayers; and

WHEREAS, as the current law approaches its twentieth (20th) anniversary, it has outgrown its original intended use and has become ripe for comprehensive review and reform.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the Township of Raritan appeals to the legislature to form a Commission comprised of Mayors, Municipal Clerks, Municipal Managers, Attorneys, Police Chiefs, open government advocates, privacy experts, members of the media, citizens and other appropriate stakeholders to review and examine the effects of OPRA on local government and the needs to be fulfilled by the law, and use the Commission's findings to perform a comprehensive reform of OPRA; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Assemblyman Andrew Zwicker; Assemblyman Roy Freiman; Senator Christopher Bateman; Assembly Speaker, Craig Coughlin; Senate President, Stephen Sweeney; Senator Loretta Weinberg; Executive Director of the Government Records Council; the Governor of the State of New Jersey; the Municipal Clerks Association of New Jersey; and the New Jersey State League of Municipalities.

Mayor Kuhl read Resolution #19-286 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-286.

Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-286

A RESOLUTION AUTHORIZING 2019 BUDGET TRANSFER #3

WHEREAS, N.J.S.A. 40A:4-58 of the Local Budget Law provides for the transfer of funds from appropriations deemed to have an excess, to appropriations where sufficient balances are not available to fulfill the purpose of the appropriation to the end of the fiscal year, providing that no transfers may be made to appropriations for contingent expenses or deferred charges, and no

transfers may be made from appropriation for contingent expenses, deferred charges, cash deficit of the preceding year, reserve for uncollected taxes, down payments, capital improvements fund and debt service; and

WHEREAS, N.J.S.A. 40A:4-45a and 45.38 of the Budget Law restrict transfers from appropriations excluded from the Cap Law to appropriations within the Cap Law and also between appropriations excluded from the Cap Law except that transfers may be made to debt service;

NOW THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan that the following transfers are authorized between appropriations in the 2019 budget and that a certified copy of this resolution adopted **by not less than a two-thirds (2/3) vote of the full membership of the governing body** be transmitted to the Administrator/CFO.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Streets & Roads S&W	Waivers	\$ 4,600.00
Streets & Roads S&W	Utilities	\$ 15,000.00
Streets & Roads OE	Vehicle Maintenance OE	\$ 4,000.00
Public Property OE	Vehicle Maintenance OE	\$ 2,000.00
Streets & Roads S&W	Group Health Insurance OE	\$135,000.00

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.

Committee Member Reiner requested that Resolution #19-289, authorizing a \$250 tax refund due to a veteran deduction be removed for further consideration.

Mayor Kuhl asked for a motion to approve the Consent Agenda as amended.

Motion by Mangin, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-287

A RESOLUTION AUTHORIZING THE RETURN OF OUTSIDE DETAIL ESCROW

WHEREAS, escrow has been posted for outside detail services for the Raritan Township Police Department; and

WHEREAS, the Township of Raritan now utilizes Jobs 4 Blue for administering and scheduling Police Department Outside Detail services; and

WHEREAS, it is necessary to return the escrow posted to the Outside Detail Trust Account; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated December 4, 2019 recommending the return of the following inspection escrow:

Wal-Mart	\$1,696.24
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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 outside detail escrow posted by Wal-Mart in the amount of \$1,696.24 for outside detail services is hereby returned.

RESOLUTION #19-288

A RESOLUTION AUTHORIZING AWARD OF CONTRACT FOR PREVENTATIVE MAINTENANCE, INSPECTION AND REPAIR OF HEATING, VENTILATION, AIR CONDITIONING AND BOILERS

WHEREAS, sealed Bids were received and opened on November 26, 2019 at 11:00 a.m. prevailing time for Preventative Maintenance, Inspection and Repair of Heating, Ventilation, Air Conditioning and Boilers; and

WHEREAS, the Township Committee has reviewed the recommendation made by the Administrator, Donald Hutchins attached to this Resolution; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-31.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the contract for Preventative Maintenance, Inspection and Repair of Heating, Ventilation, Air Conditioning and Boilers be awarded to Peterson Service Company, 234 Route 70, Medford, N. J. 08055 for a period of two (2) years with the option to extend contract for one additional year.

Mayor Kuhl read Resolution #19-289 by title.

Committee Member Reiner explained that he requested the removal of the proposed resolution from the Consent Agenda to recognize the men and women in the United States armed forces for their service.

Mayor Kuhl asked for a motion to adopt Resolution #19-289.

Motion by Reiner seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-289

**A RESOLUTION AUTHORIZING \$250 TAX REFUND
DUE TO VETERAN DEDUCTION**

WHEREAS, the Township Tax Collector has recommended the refund of this overpayment; and

WHEREAS, there exists an overpayment of taxes paid to the Tax Collector of 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 the following receive a refund in the amount specified.

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>
Robert D. Hofmann (82 Old Clinton Road)	\$250.00	4	12.01

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenway Drive, commented that the Hunterdon County Freeholders awarded an economic development grant to the Township for a comprehensive review of the Township's zoning ordinances; expressed interest in serving on the Wildlife Management Advisory Committee; commented on poor attendance of those serving on Township boards and committees; and commented on the need for more interest on behalf of the Township regarding actions taken during the Lame Duck session of the New Jersey Legislature as the changes will impact residents in Hunterdon County. Ms. Sachau suggested the adoption of a resolution.

John Mackay, a resident of 122 Featherbed Lane, asked if the Township had a meeting on a Monday and when the Township decided to not put up snow fence. Mr. Mackay commented, "either you need to get the fence up to stop the drifting or you need to get the plows up there more often."

During Public Comment, Committee Members advised on the protocol regarding attendance for boards and committees explaining what constitutes an excused absence, policies in place, and the maximum number of absences permitted. Committee Member Gilbert added that an attendance policy has just been implemented for the Board of Health. Mayor Kuhl advised that the Township Committee did meet on a Monday in November due to a scheduling conflict with the League of Municipalities. Mr. Hutchins addressed the inquiry regarding snow fencing throughout the Township advising that Public Works does not have the manpower to put up snow fence as leaf pick up takes precedence during that time. Committee Member Gilbert added that leaf pickup takes precedence due to state mandates for stormwater management.

Mayor Kuhl commented, "this is our last meeting of the year. This year went very quick and I have to thank all of the Committee for working together. We did a lot of good things this year, thank you to Don, Ed and Lisa for making everything happen. It is well appreciated. Thank you to all of the volunteers that this Township has and the great employees, as well. Everyone is appreciated. Looking forward to working with Scott on the Committee this year, Mike we hate to see you go....."

ADJOURNMENT

Mayor Kuhl asked for a motion to adjourn.

Motion by Reiner, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:01 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk