

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, OCTOBER 17, 2017**

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

ROLL CALL: The following were present: Deputy Mayor, Michael Mangin; Comm. Richard Chen; Comm. Lou Reiner. Also present were Attorney Ed Purcell (for Township Attorney, Jeff Lehrer); Administrator, Don Hutchins; Police Chief, Glenn Tabasko; CFO, William Pandos; and Health Insurance Broker, Michael Atkins.

Absent were: Mayor Karen Gilbert and Comm. Craig O'Brien.

MEETING ADVERTISED: Deputy Mayor Mangin advised that the meeting was advertised in accordance with the Open Public Meetings Act in the January 11, 2017 issue of the Hunterdon County Democrat and was posted on the office bulletin board and the Township Website.

Attorney Purcell read Resolution #17-256 in full.

Deputy Mayor Mangin asked for a motion to approve Closed Session Resolution.
Motion by Reiner, seconded by Chen.

ROLL CALL VOTE:

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

RESOLUTION #17-256

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: Health Insurance Premiums
 - b) Personnel:
 - c) Attorney-Client Privilege:
 - d) Pending Litigation

It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.

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

The regular meeting reconvened at 7:07 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Deputy 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

Deputy Mayor Mangin asked for any amendments to the Agenda.

There were no amendments to the Agenda.

Deputy Mayor Mangin asked for a motion to approve the Agenda.

Motion by Reiner; seconded by Chen to approve the Agenda.

ROLL CALL VOTE:

AYES: Chen, Reiner, Deputy Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: O'Brien, Mayor Gilbert

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.

Eugene Lewandowski, a resident of 3 Phipps Court, appeared before the Committee to express concerns regarding the paving on Indian Plantation. Attorney Purcell advised Mr. Lewandowski that this public comment section is to reference only agenda items and all other concerns and comments could be addressed later in the meeting agenda during Privilege of the Floor.

At this time, Police Chief Tabasko requested that the Committee advance New Business Item A. Tow Ordinance – Proposed Rate Increase, as interested parties were in attendance.

NEW BUSINESS

a. Tow Ordinance – proposed rate increase

Chief Tabasko explained that tow operators are in attendance to discuss a proposed rate increase and invited those in attendance to speak before the Committee.

Michael Kovi, a resident of 233 Old York Road and owner of Kovi Towing, appeared before the Committee seeking consideration of a tow rate increase. Mr. Kovi explained details of the proposal including current and proposed rates; proposed additional charges such as winching/uprighting/recovery, extra man/truck, and administrative fee and highlighted the following reasons for seeking such request:

- *50% rate increase in company liability insurance
- *Over 30% increase in truck costs
- *Significant labor cost increases
- *Regulations have gone up for DOT filing and emissions standards
- *Increase in workers compensation rates
- *Increase in tire costs and general vehicle maintenance
- *Year over year cost of living increases

Ray Fisher, owner of Ray Fisher Autobody, spoke in support of the proposed increase and also commented on the length of time since the last increase.

Discussion was held regarding timing for amending the Tow Ordinance. Administrator Hutchins and Chief Tabasko both commented that the Tow Ordinance was just amended in March 2017. Deputy Mayor Mangin added that the ordinance is in place for one year then amended as needed.

It was the consensus of the Committee Members and Chief Tabasko that the Chief would provide recommendations to the Township Committee at the beginning of 2018 and revisit discussions at that time.

FINANCIAL ISSUES

Payment of Bills as Listed for **Raritan Township: \$460,081.88**

Motion by Reiner, seconded by Chen to approve the bill list for Raritan Township.

ROLL CALL VOTE:

AYES: Chen, Reiner, Deputy Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: O'Brien, Mayor Gilbert

REPORTS

The following September 2017 staff reports were acknowledged by the Township Committee:

- *Animal Control Services
 - *Planning/Engineering Escrow Account
 - *Department of Fire Safety
 - *Court
 - *Tax Collector
-

LIAISON REPORTS

Michael Mangin: Planning Board (Class II, RTMUA)
Deputy Mayor Mangin reported on a meeting of the Planning Board advising of no new projects and announced the upcoming meeting date of the RTMUA.

Louis Reiner: Environmental Commission, Green Team, Fire/Rescue/OEM
Committee Member Reiner commended fire fighters for their efforts; and reported that the Open Space plan was presented at the recent Open Space Committee meeting.

Richard Chen: Finance, Open Space, Parks & Recreation
Committee Member Chen reported that two (2) paved parking lots have been completed on open space properties (Urbach and Micek Farms) by Public Works and that the kiosks are due for delivery within the next two (2) weeks. Committee Member Chen suggested the same be done for all Township open space parcels.

UNFINISHED BUSINESS

There was no unfinished business on the meeting Agenda.

CORRESPONDENCE

- *Flemington Borough Water Department Notice of Application to the Department of Environmental Protection
 - *New Jersey Department of Transportation's Fiscal Year 2018 Local Freight Impact Fund
 - *Resident email regarding the purchase of open space property
-

ORDINANCES (INTRODUCTION AND FIRST READING)

Deputy Mayor Mangin read by title Ordinance #17-37 for introduction.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING TITLE 2 ENTITLED "ADMINISTRATION AND PERSONNEL" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN TO REVISE PROVISIONS RELATED TO ENVIRONMENTAL COMMISSION APPOINTMENTS

Deputy Mayor Mangin asked for a motion to introduce Ordinance #17-37 on first consideration.
Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Reiner, Deputy Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: O'Brien, Mayor Gilbert

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for November 6, 2017.

NON-CONSENT AGENDA

Deputy Mayor Mangin read Resolution #17-258 by title.

Deputy Mayor Mangin asked for a motion to adopt Resolution #17-258.
Motion by Chen, seconded by Reiner

ROLL CALL VOTE:

AYES: Chen, Reiner, Deputy Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: O'Brien, Mayor Gilbert

RESOLUTION #17-258

**RESOLUTION CANCELLING GRANT RECEIVABLE FOR A TRANSPORTATION
GRANT AND APPROPRIATED GRANT
RESERVE BALANCE**

WHEREAS, a receivable balance of \$144,000.00 entitled Due From Department of Transportation which remains on the Federal and State Grant Fund balance sheet for a transportation grant; and

WHEREAS, it is necessary to formally cancel the receivable balance and its related appropriated grant reserve balance from the balance sheet.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the following grant receivable and appropriated grant reserve balance be cancelled.

<u>GRANT TITLE</u>	<u>CONTRACT NUMBER</u>	<u>AMOUNT CANCELLED</u>
Fiscal Year 2004 Transportation Enhancement Walkway and Streetscape Project	Receivable	\$144,000.00
	Appropriated Grant Reserve	\$119,390.11

Deputy Mayor Mangin read Resolution #17-259 by title.

Deputy Mayor Mangin asked for a motion to adopt Resolution #17-259.
 Motion by Chen, seconded by Reiner

ROLL CALL VOTE:

- AYES:** Chen, Reiner, Deputy Mayor Mangin
- NOES:** None
- ABSTAIN:** None
- ABSENT:** O'Brien, Mayor Gilbert

RESOLUTION #17-259

RESOLUTION CANCELLING LOAN RECEIVABLE AND OFFSETTING RESERVE

WHEREAS, there exists a certain loan receivable - CFP and offsetting reserve for loan receivable on the balance sheet of the General Capital Fund; and

WHEREAS, the funds creating this reserve and offsetting receivable have been investigated and it has been determined that this reserve and offsetting receivable should be cancelled.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the following reserve and offsetting receivable in the amount of \$38,000 be and the same are hereby cancelled.

Reserve for Loan Receivable	\$38,000
Loan Receivable – CFP	\$38,000

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.

At this time, Committee Member Reiner requested that proposed Resolution #17-255, Requesting the Insertion of an Item of Special Revenue in the 2017 Budget (Body Armor Grant) be removed from the Consent Agenda for further consideration.

Deputy Mayor Mangin read the following resolutions by title.

Deputy Mayor Mangin asked for a motion to adopt the Consent Agenda as amended with the removal of Resolution #17-255.

Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Reiner, Deputy Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: O'Brien, Mayor Gilbert

RESOLUTION #17-253

RESOLUTION AUTHORIZING THE EXECUTION OF A FARM LEASE AGREEMENT WITH T.R. MEYER FARMS (URBACH PROPERTY)

WHEREAS, the Township of Raritan acquired Block 7, Lot 13 (the "Property") from Sol and Ada Urbach in January of 2012; and

WHEREAS, T.R. Meyer Farms, LLC, Pittstown, New Jersey ("Meyer") has been farming the Property since the acquisition, and entered into a lease agreement with the Township, which lease agreement has expired; and

WHEREAS, the Township wishes to continue to lease the property for farming purposes and desires to continue the lease (the "Lease") with Meyer according to the terms and conditions set forth in the Lease Agreement annexed hereto as Schedule "A;" and

WHEREAS, open public bidding at auction is not required for this lease pursuant to N.J.S.A. 40A:12-14.1; and

WHEREAS, a portion of the funding to purchase the Property was provided by the New Jersey Department of Environmental Protection (NJDEP) Green Acres Program which will require that rules and regulations pertaining to leases of Green Acres encumbered property must be followed; and

WHEREAS, this Lease is subject to the approval of the NJDEP Green Acres Program.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute a lease with Meyer for lease of the Property for farming purposes for a term to expire October 31, 2022, subject to the terms and conditions set forth in the Lease annexed hereto as Schedule "A," and in accordance with Green Acres rules and regulations.

RESOLUTION #17-254

RESOLUTION AUTHORIZING THE EXECUTION OF A FARM LEASE AGREEMENT WITH WILLIAM WATKINSON

WHEREAS, the Township of Raritan acquired Block 5, Lot 17.13 (the “Property”) as part of the approval of the Raritan Estate Subdivision; and

WHEREAS, William Thomas Watkinson, Flemington, New Jersey (“Watkinson”) has been farming the Property since the acquisition, and entered into a lease agreement with the Township, which lease agreement has expired; and

WHEREAS, the Township wishes to continue to lease the property for farming purposes and desires to continue the lease (the “Lease”) with Watkinson according to the terms and conditions set forth in the Lease annexed hereto as Schedule “A; and

WHEREAS, open public bidding at auction is not required for this lease pursuant to N.J.S.A. 40A:12-14.1; and

WHEREAS, the Township of Raritan has accepted Green Acres funding for various acquisitions, therefore, all Township Open Space must meet the requirements set forth by the New Jersey Department of Environmental Protection (NJDEP) Green Acres Program, which will require that rules and regulations pertaining to leases of Green Acres encumbered property must be followed; and

WHEREAS, this Lease is subject to the approval of the NJDEP Green Acres Program.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Mayor and Township Clerk are hereby authorized to execute a lease with William Watkinson for lease of the Property for farming purposes for a term to expire October 31, 2022, subject to the terms and conditions set forth in the Lease annexed hereto as Schedule “A,” and in accordance with Green Acres rules and regulations.

RESOLUTION #17-257

A RESOLUTION APPROVING THE RENEWAL OF RETAIL ALCOHOLIC BEVERAGE LICENSE NO. 1021-36-016-001 FLEMINGTON F&B LLC (HOLIDAY INN EXPRESS) FOR THE 2017-2018 TERM

WHEREAS, a renewal application has been filed with the Township of Raritan together with the required renewal fees for the 2017-2018 license term of Hotel/Motel License Number 1021-36-016-001, held by Flemington F&B, LLC; and

WHEREAS, the license has been inactive for more than two license terms; and

WHEREAS, the licensee has filed a request for a Special Ruling from the Director of the New Jersey Division of Alcoholic Beverage Control to permit renewal of an inactive license pursuant to N.J.S.A. 33:1-12.39; and

WHEREAS, the Director of the New Jersey Division of Alcoholic Beverage Control has issued a Special Ruling that authorizes the Township Committee of the Township of Raritan to consider the application for renewal of the subject license for the 2017-2018 term.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, does hereby approve, effective October 17, 2017 the application renewal of inactive Hotel/Motel License Number 1021-36-016-001 held by Flemington F&B, LLC for the 2017-2018 term.

RESOLUTION #17-260

**RESOLUTION AUTHORIZING THE RELEASE OF
CASH PERFORMANCE GUARANTEE (THE BROTHERS REED, LLC)**

WHEREAS, The Brothers Reed, LLC posted a \$1,000.00 Landscaping Cash Performance Guarantee August 18, 2009; and

WHEREAS, the applicant's Escrow account is in need of replenishment of \$1,000; and

WHEREAS, The Brothers Reed, LLC has requested release of its cash performance guarantee to the Township of Raritan to replenish its Escrow account; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the release of the cash performance guarantee in the amount of \$1000.00 to 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 cash performance guarantee posted by The Brothers Reed, LLC in the amount of \$1,000.00 be released to the Township of Raritan for replenishment of the applicant's Escrow account.

RESOLUTION #17-261

**RESOLUTION AUTHORIZING THE RETURN OF
DEVELOPER AND INSPECTION ESCROWS
(BROOKVIEW HOLDING COMPANY)**

WHEREAS, Brookview Holding Company has requested the return of its Developer's Escrow;
and

WHEREAS, Brookview Holding Company has requested the return of its Inspection Escrow;
and

WHEREAS, Kristi Gano, Payroll/HR Coordinator, has submitted memos dated October 13, 2017 and recommended the return of the following Developer and Inspection Escrows:

Brookview Holding Company	SP-616-PF (Developer)	\$ 416.14
Brookview Holding Company	SP-616-PF (Inspection)	\$1,168.18

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan that the Developer's Escrow in the amount of \$416.14 and the Inspection Escrow posted by Brookview Holding Company is hereby

Deputy Mayor Mangin read Resolution #17-255 by title.

Committee Member Reiner asked for clarification of the body armor grant. Mr. Hutchins advised it was a grant received for body armor for the police department and that the Township must request by resolution permission from the State to have the funds inserted into the 2017 budget as income.

Deputy Mayor Mangin asked for a motion to adopt Resolution #17-255.
Motion by Reiner, seconded by Chen

ROLL CALL VOTE:

AYES: Chen, Reiner, Deputy Mayor Mangin

NOES: None

ABSTAIN: None

ABSENT: O'Brien, Mayor Gilbert

RESOLUTION #17-255

A RESOLUTION PROVIDING FOR THE INSERTION OF ANY SPECIAL ITEM OF REVENUE IN THE BUDGET OF ANY COUNTY OR MUNICIPALITY PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159, P.L. 1985) BODY ARMOR REPLACEMENT GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Raritan has been awarded \$3,151.39 from the Division of Criminal Justice 2017 Body Armor Replacement Fund and wishes to amend its 2017 Budget to include this amount as a revenue.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$3,151.39 which is available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with
Prior Written Consent of the Director of Local
Government Services:

Public and Private Revenues Off-Set with
Appropriations:
2017 Body Armor Replacement Fund

BE IT FURTHER RESOLVED that a like sum of \$3,151.39 is hereby appropriated under the caption of:

General Appropriations

Operations Excluded from Caps
Public and Private Programs Off-Set by Revenues:
2017 Body Armor Replacement Fund
Other Expenses

BE IT FURTHER RESOLVED that the Township Clerk forward two copies of the required Certification to the Director of Local Government Services within three days.

PRIVILEGE OF THE FLOOR

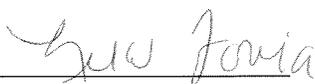
There was no public comment.

Deputy Mayor Mangin asked for a motion to adjourn the meeting.

Motion by Reiner, seconded by Chen
MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 7:38 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk