16Ia1.

RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, SEPTEMBER 17, 2019

MEETING CALLED: Mayor Kuhl called the regular meeting to order at 6:31 p.m.

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

ABSENT: Deputy Mayor Lou Reiner

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

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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 #19-220 in full.

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

RESOLUTION #19-220

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: Brownstein Acquisition; Parks and Recreation/ Shared Services; Case Farm ROW

   b. Personnel: Volunteer Fire Department Staffing
   c. Attorney-Client Privilege:
   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 #1 WILL BE DONE IN A SEPARATE DOCUMENT

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 Gilbert, seconded by Mangin to approve the Agenda.
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: Reiner

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

There was no public comment.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: $5,426,912.33.

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

REPORTS

The following August reports were acknowledged by Committee Members with no comment:

*Animal Control
*Court
*Planning/Engineering Escrow Accounts

LIAISON REPORTS

Karen Gilbert: Environmental Commission/Green Team; Historians; Open Space; Parks and Recreation; Planning Board (Class III Member)
Committee Member Gilbert announced the upcoming date for Community Day, September 28, and advised that the Moose Lodge will be selling food along with other food trucks; announced the upcoming date for the Local Historians Committee's annual bus trip, October 12, that tickets will be available in the Clerk's office, as well as at Community Day. Committee Member Gilbert also reported that the Local Historians Committee is seeking to obtain historic classification of the schoolhouse and reported on a meeting of the Parks and Recreation Committee advising that discussion was held regarding the success of the summer inter-session programs and attendance. Committee Member Gilbert also advised that the Planning Board meeting was cancelled and the next meeting is September 25 at which time the Board will consider an application from Diamond Nation.

Gary Hazard: Court/Police; RTMUA
Committee Member Hazard announced that the RTMUA meeting originally scheduled for this Thursday had been moved to Wednesday and adequate notice was provided; that the Raritan Township PBA golf outing is Monday, September 23; and reported that the Court is running smoothly.

Jeff Kuhl: (Mayor) Planning Board (Class I Member); Personnel; Finance; Historians; Open Space
Mayor Kuhl reported that repairs to the schoolhouse by vocational students will commence shortly on Thursday and Friday afternoons; and that meetings of the Open Space Advisory Committee and Planning Board were cancelled.

Michael Mangin: Board of Health; Finance; Public Works
Committee Member Mangin announced the upcoming meeting date of the Board of Health, September 19; reported that Public Works is working hard on the roads; and that the Township is in good standing financially.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

There was no new business.

ORDINANCES (INTRODUCTION/FIRST READING)

Mayor Kuhl read by title Ordinance #19-25.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY REPEALING AND REPLACING CHAPTER 8.40 ENTITLED "SMOKING" WITH NEW CHAPTER 8.40 ENTITLED "SMOKING" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN

Mr. Purcell, explained that the proposed ordinance recodifies and amends the existing Code regarding smoking to prohibit the use of electronic smoking devices at the police/court building, municipal building, municipally-owned parks and recreation facilities and property owned by the Boards of Education for the Flemington-Raritan Regional School District and Hunterdon Central Regional High School.

Mayor Kuhl added that the amendment was initiated by the Police Department as vaping was unenforceable within the schools.

Mayor Kuhl asked for a motion to introduce Ordinance #19-25 on first consideration.
Motion by Mangin, seconded by Hazard
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: Reiner
ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for October 1, 2019.

Mayor Kuhl read by title Ordinance #19-26.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF DEDICATION FOR THE ROADWAYS AT MOUNTAIN VIEW AT HUNTERDON, FORMERLY BLOCK 44, LOT 4, 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 #19-26 on first consideration.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: Reiner
ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for October 1, 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 September 3, 2019.
Motion by Hazard, seconded by Mangin
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: Reiner

Township Committee Executive Session Meeting Minutes

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes of September 3, 2019, #1 and #2.

At this time, Committee Member Gilbert asked that language be amended in Executive Session #1 to include the last names for Parks and Recreation staff and all times when names are mentioned.

Motion by Gilbert, seconded by Mangin to approve Executive Session Meeting Minutes of September 3, 2019 #1 as amended and #2.
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: Reiner

RESOLUTIONS

Mayor Kuhl read Resolution #19-221 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-221.
Motion by Gilbert, seconded by Hazard
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: Reiner

RESOLUTION #19-221

A RESOLUTION CANCELING FUNDED BALANCES IN CAPITAL ORDINANCES OF THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

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

Section 1. The Mayor and Committee of the Township of Raritan, in the County of Hunterdon, New Jersey (the "Township") previously adopted Bond Ordinances for the purpose of funding various capital projects and improvements of the Township as more fully specified in the Bond Ordinances. And as of the date hereof, the projects have been completed and funded/unfunded balances remain open and unexpended as described below are hereby cancelled in the amounts set forth therein.

FUNDED ORD	PURPOSE	AMOUNT
06-24	Ped. Walkway – Mine Brook	$20,000.00
13-09	Police Equipment	$ 125.24
19-03	Finger Print Machine	$ 832.92
19-10	Police Remediation	$ .29

Section 2. The funded balances in the aggregate amount of $20,958.45 shall be transferred to capital surplus.

Section 3. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this resolution to the extent of any inconsistency herewith. To the extent that the purposes or amounts authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 4. This resolution shall take effect immediately.

Mayor Kuhl read Resolution #19-222 by title.
Mayor Kuhl asked for a motion to adopt Resolution #19-222.
Motion by Gilbert, seconded by Mangin
ROLL CALL VOTE:
AYES: Gilbert, Hazard, Mangin, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: Reiner

RESOLUTION #19-222

A RESOLUTION AUTHORIZING SNOW REMOVAL OF PRIVATE ROADS WITHIN THE TOWNSHIP OF RARITAN

WHEREAS, the Township of Raritan has adopted Ordinance #89-19 which establishes a policy for snow removal on non-Township roads under development; and

WHEREAS, Ordinance #89-19 indicates that the Township of Raritan will remove snow on those non-Township roads only after the development has failed to fulfill its responsibility on privately-owned roads under development and where the public health and safety may be jeopardized; and

WHEREAS, the Township will then charge the developer for such services.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan that the rate to be charged to the developer for snow removal on non-Township roads is $425.00 per hour or per occurrence per vehicle during the period from November 2019 through April 2020.

Raritan Township Fire Company Applications

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

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

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

CONSENT AGENDA

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

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

RESOLUTION #19-223

A RESOLUTION AUTHORIZING THIRD QUARTER 2019 TAX REFUND (ANGIULI)

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 duplicate payments for third quarter 2019 taxes.

Taxpayer	Amount	Block	Lot	Qualifier
James Angiuli 10 Rustic Trail	$2,932.43	6.12	16	
TOTAL:	**$2,932.43**			

RESOLUTION #19-224

A RESOLUTION AWARDING A CONTRACT TO E O HABHEGGER CO. INC. TO SUPPLY A NEW FUEL DISPENSER AT THE RARITAN TOWNSHIP POLICE STATION

WHEREAS, the Township of Raritan is in need of a new fuel dispenser at the Raritan Township Police Station; and

WHEREAS, the Township of Raritan is a member of the New Jersey State Cooperative Purchasing; and

WHEREAS, E O Habhegger Co. Inc., 334 North Washington St., Unit 20B, Hammonton, NJ 08037 has been awarded contract #A42261 Aboveground Fuel Tanks: Installation, Removal and Repair and Related Equipment; and

WHEREAS, the Superintendent of Public Works recommends that E O Habhegger Co. Inc. be awarded the contract to supply the new fuel dispenser; and

WHEREAS, the cost of this will be at the bid price as documented by the New Jersey State Cooperative Purchasing and appropriated through Ordinance #19-13 for the amount of $15,600.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-25 for purchase of a new fuel dispenser at the Township Police Station.

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 purchase of a new fuel dispenser at the Raritan Township Police Station be awarded to E O Habhegger Co. Inc., 334 North Washington St, Unit 20B, Hammonton, NJ 08037 in the amount of $15,600.00.

RESOLUTION #19-225

A RESOLUTION AWARDING A CONTRACT TO INDEPENDENCE CONSTRUCTORS TO INSTALL NEW FUEL DISPENSER AT THE RARITAN TOWNSHIP POLICE STATION

WHEREAS, the Township of Raritan is in need of installation of a new fuel dispenser at the Raritan Township Police Station; and

WHEREAS, the Township of Raritan is a member of the New Jersey State Cooperative Purchasing; and

WHEREAS, Independence Constructors, 1200 Route 22 East, Bridgewater, NJ 08807 has been awarded contract #42270 Aboveground Fuel Tanks: Installation, Removal and Repair and Related Equipment; and

WHEREAS, the Superintendent of Public Works recommends that Independence Constructors be awarded the contract to install the new fuel dispenser; and

WHEREAS, the cost of this will be at the bid price as documented by the New Jersey State Cooperative Purchasing and appropriated through Ordinance #19-13 for the amount of $6,380.00; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-24 for installation of a new fuel dispenser at the Township Police Station.

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 installation of a new fuel dispenser at the Raritan Township Police Station be awarded to Independence Constructors, 1200 Route 22 East, Bridgewater, NJ 08807 in the amount of $6,380.00.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Sharon Winnick, a resident of 20 Monsey Road, asked for clarification of what was being moved to Wednesday during Committee Member Hazard's report; commented on the amount of Sycamore leaves in her neighborhood and requested that someone pick them up.

Gene Lewandowski, a resident of 3 Phipps Court, inquired as to the status of the Comcast Franchise Renewal and voiced opinion regarding the rates.

John MacKay, a resident of 122 Featherbed Lane, voiced opinion regarding Comcast and Century Link services; and spoke of a traffic issue on Route 31 in the vicinity of the former Mannon site. Mr. MacKay advised that traffic was backed up from Stop & Shop past Woodschurch Road. He continued to explain that traffic is "circumventing" Route 31 and utilizing back roads such as Featherbed Lane including buses, trucks and landscapers at speeds more than 35 mph.

During public comment, Committee Member Hazard clarified that the RTMUA meeting had been moved from Thursday to Wednesday with adequate notice; Mayor Kuhl advised that Public Works will be notified of the situation regarding the leaves raised by Ms. Winnick and suggested that Mr. MacKay email him his concerns regarding traffic issues.

A brief discussion was held regarding the Comcast Franchise renewal. Mr. Purcell explained that negotiations are still underway. Mr. Purcell further explained that the Township could entertain another company's interest if approached, however, the Township cannot set rates. Mayor Kuhl added that Comcast owns the infrastructure unlike the telephone company and any changes would have to be through the Board of Public Utilities.

At this time, Mr. Hutchins advised that NJDOT has met with the Township and is holding a public information forum, October 8, 2019 at the Township Municipal Building regarding proposed Route 31 improvements. He continued that "Route 31 will be dualized at some point…from River Road all the way down through Stop & Shop…" Mr. Hutchins commented on the complexity of the improvements surrounding the railroad bridge near the Stothoff Company including removal of the bridge, lane expansion, and the moving of the railroad several miles in each direction. Mr. Hutchins added that information regarding the public information center will be posted on the Township website and forwarded to Curtis Leeds of Flemington-Raritan TapInto as well.

During the discussion, Ms. Winnick advised that October 8, 2019 is the eve of the most religious Jewish holiday, Yom Kippur. She continued to explain that there will be a lot of traffic from the Flemington Jewish Community Center (FJCC), as the congregation utilizes the Township municipal lot for overflow parking. She added that the services go on for hours.

Municipal Clerk, Lisa Fania, commented that the NJDOT public information center will be taking place from 6:00 p.m. to 8:00 p.m.

Ms. Fania to advise NJDOT of the date conflict.

At this time, Mayor Kuhl announced that the Committee will reconvene closed session to discuss matters of Contract Negotiations and that the regular meeting will not reconvene and that no action will be taken.

Closed Session reconvened at 7:29 p.m.

CLOSED SESSION MINUTES #2 WILL BE DONE IN A SEPARATE DOCUMENT

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

Meeting adjourned at 7:46 p.m.

Respectfully submitted,

Lisa Fania, RMC
Township Clerk