

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, SEPTEMBER 15, 2020**

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

ROLL CALL: The following were present: Mayor, Jeff Kuhl; Deputy Mayor, Karen Gilbert; Comm. Gary Hazard; Comm. Scott MacDade; Comm. Louis Reiner

ABSENT: None

ALSO PRESENT: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Township Attorney, Joseph Sordillo

MEETING NOTICED: Mayor Kuhl advised that the meeting was noticed in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975 January 13, 2020 to the Courier News, Hunterdon County Democrat, Star Ledger, Express Times, NJ.com, and posted on the municipal bulletin board and the Township website.

Attorney, Joseph Sordillo, read Resolution #20-212 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, MacDade, Reiner, Mayor Kuhl
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION #20-212

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: | Land Donation – Block 84, Lot 9 |
| b) | Personnel: | Environmental Commission
Appointment |

- c) Attorney-Client Privilege:
- d) Pending/Anticipated Litigation:
- e) Potential Land Acquisition:

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

4. The Committee will return to Regular Session and may take further action.

5. This Resolution shall take effect immediately.

CLOSED SESSION MINUTES WILL BE DONE IN A SEPARATE DOCUMENT

The regular meeting reconvened at 7:00 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Mayor 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.

At this time, Deputy Mayor Gilbert advised of several additions to the meeting agenda, a request from Hunterdon County Soil Conservation District to plant a tree and install a plaque in Blackwell Park in memory of John Albert Van Nuys; a resolution authorizing the renewal of a liquor license and a resolution accepting a grant from the New Jersey Department of Transportation.

Motion by Reiner, seconded by Gilbert to approve the agenda as amended.

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

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

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 3 Glenway Drive, asked for clarification of the additional items to the meeting agenda. Mayor Kuhl summarized the content of the additional items and Municipal Clerk, Lisa Fania, provided copies of the documents to Ms. Sachau for her information.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: **\$1,040,482.19**

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

ROLL CALL VOTE:

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

REPORTS

The following August reports were acknowledged by the Committee:

- *Animal Control
- *Court
- *Engineering/Planning Escrow Accounts
- *Tax Collector

LIAISON REPORTS

Karen Gilbert: Fire/Rescue/OEM; Open Space Advisory Committee; Planning Board
(Deputy Mayor) (Class III Member)
Regarding Fire, Deputy Mayor Gilbert referred to an item to be discussed later in the meeting agenda concerning a request from the Three Bridges Fire Company to purchase a Township fire truck with funds matching the trade-in value. Deputy Mayor Gilbert reported that the Flemington-Raritan First Aid and Rescue Squad (FRFARS) has advised that it is in need of a new vehicle and requested that the Township Committee consider a replacement in the 2021 budget. Deputy Mayor Gilbert continued that the Raritan Township Office of Emergency Management has expressed interest in the FRFARS vehicle to be replaced.

Deputy Mayor Gilbert also reported that the Planning Board meeting was cancelled due to lack of applications.

Gary Hazard: Court; Open Space Advisory Committee; RTMUA
Committee Member Hazard reported that the Court is running “really well” and utilizing audio/video technology. Committee Member Hazard announced the upcoming meeting date of the RTMUA, Thursday, September 17 and advised that the RTMUA is working with Flemington Borough on matters concerning over regulation.

Jeff Kuhl: Finance; Historians; Personnel; Planning Board (Class I Member)
(Mayor) Mayor Kuhl reported that the Township is in good fiscal shape; that the Historians did not meet; and reiterated Deputy Mayor Gilbert’s comments regarding the cancellation of the Planning Board meeting.

Scott MacDade: Board of Health; Environmental Commission; Historians
Committee Member MacDade announced the upcoming meeting date of the Board of Health, Thursday, September 17 and reported that the Historians did not meet and the Environmental Commission meeting was cancelled.

Louis Reiner: Agriculture Advisory Board; Finance
Committee Member Reiner provided no report but commented on the “phenomenal” fiscal state of the Township.

UNFINISHED BUSINESS

Three Bridges Fire Company’s offer to purchase 1994 Special Service Truck – Mayor Kuhl explained that the Three Bridges Fire Company is offering to purchase the 1994 Special Service truck for the same amount as the manufacturer trade-in value, \$15,000.00. Mayor Kuhl raised concern regarding the impact on the purchase price of the new truck of selling versus trade-in. Mr. Hutchins advised that the vendor has no objection and there will be no impact on the purchase price. Mr. Hutchins explained that the Township will sell the truck to the Raritan Township Fire Company and the fire company will then sell it to Three Bridges. During the discussion, Deputy Mayor Gilbert advised that Fire Chief, Keith Paradiso, has expressed support as well.

By voice vote, all Committee Members were in favor of accepting the offer from Three Bridges Fire Company. There were no objections

NEW BUSINESS

Meals on Wheels in Hunterdon, Inc. request for donation – Mr. Hutchins explained that government entities are not permitted to donate taxpayer funds. Mr. Hutchins advised that he had communicated to the organization that one possibility to raise funds would be to participate in the Township’s Road Clean up program made possible through a Clean Communities grant whereas the organization could receive up to \$1,000.00. He further explained that the Township would assign a road(s) to the organization.

Committee Member Hazard advised that he was personally donating \$500.00 and suggested individual donations from Committee Members. Mr. Hutchins suggested reaching out to Township staff as well.

Flemington Food Pantry request for the installation of a shed – Mayor Kuhl referred to the information provided in the meeting packet regarding the Flemington Food Pantry’s request to install a shed. No discussion was held.

By voice vote, all Committee Members were in favor of authorizing the installation of the shed. There were no objections

Township Committee Acknowledgement of Certificate of Determination and Award, September 2020 Bond Sale – Raritan Township Chief Financial Officer (CFO), Bill Pandos, appeared before the Committee to present background regarding the recent BAN sale. Mr. Pandos reported that a BAN sale was held September 9, 2020 to fund the 2020 capital program in the amount of \$1,284,500.00 for projects including the purchase of a new fire truck (\$750,000.00) and an in-car camera system for the police department (\$150,000.00). Mr. Pandos advised that the 2020 capital program had been significantly reduced due to the removal of road projects which will be funded by the New Jersey Infrastructure Bank (I-Bank).

Mr. Pandos commented, “Back in August, information was disseminated to the investment community and September 9 was set for the date of the BAN sale. On the day of the sale, all bids were reviewed, a determination was made as to the lowest bid, and an award was made by the CFO. I believe that due to Raritan Township’s outstanding financial reputation with the investment community, we received several very competitive bids that day. Bids were received from all over the place including brokerage firms, banks, utilities, authorities and municipalities. The winning bid was from Oppenheimer & Co. and it also included a premium of \$8,300.00. So that lowered the net interest rate on this BAN to .6030 percent, slightly about one half of one percent.”

Mr. Pandos advised that the closing is scheduled for Thursday, September 17 and the funds will be wired into the Township’s account the same day.

Committee Members and Mr. Hutchins commended Mr. Pandos for his outstanding work and extended sincere gratitude for all of his efforts.

Discussion regarding making the Township’s Outdoor Dining Ordinance Permanent – A discussion was held regarding making outdoor dining permanent in the Township including extending the November 1 deadline of the existing ordinance and permitting heaters and lighting. Committee Members expressed concern regarding parking availability when capacity resumes to one hundred percent inside.

Township Attorney, Joseph Sordillo, advised that a time limit be set, commenting “with open-ended, the concern is now that becomes a zoning ordinance that people can rely upon or a savvy lawyer in a land use application can try to rely upon it where all of the terms have not yet been defined for permanent status.having it clearly temporary with an end date gives more control.” Mr. Sordillo continued, language can be included as follows “this will be the deadline, subject to further review and potential extension at the discretion of the Township Committee.

It was the consensus of the Committee that an ordinance be introduced at a future regular meeting extending the deadline for outdoor dining to April 1, 2021 with the inclusion of heaters and lights.

Hunterdon County Soil Conservation District’s request to plant a tree and install a plaque in Blackwell Park in memory of John Albert Van Nuys – Mayor Kuhl read into the record the letter from Hunterdon County Soil Conservation District requesting to plant a tree and install a plaque beneath the tree in Blackwell Park off of Everitts Road in memory of Soil Conservation District’s Chairman, John Van Nuys, who passed away August 5, 2020.

By voice vote, all Committee Members were in favor of authorizing the planting of the tree and installation of a plaque in honor of John Van Nuys in Blackwell Park. There were no objections

ORDINANCES (INTRODUCTION/FIRST READING)

There were no ordinances for introduction.

ORDINANCES (PUBLIC HEARING/FINAL ADOPTION)

Mayor Kuhl read by title Ordinance #20-26.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, ESTABLISHING WEIGHT LIMIT ON RIVER ROAD FROM THE INTERSECTION OF NEW JERSEY STATE HIGHWAY ROUTE 202 AND RIVER ROAD TO THE INTERSECTION OF CASE BOULEVARD AND RIVER ROAD IN THE TOWNSHIP OF RARITAN

Mayor Kuhl asked for a motion to open public hearing.
Motion by Reiner, seconded by MacDade

MOTION UNANIMOUSLY CARRIED

The following members of the public spoke during public comment:

John Mackay, a resident of 122 Featherbed Lane, spoke in support of the ordinance but voiced the opinion that the lower weight limit should continue further to Junction Road.

Committee Member, Lou Reiner, spoke of a very bad car accident in the vicinity of Everitt's Road due to excessive speeding. As the road is a County road, Committee Member Reiner suggested contacting the County about lowering the speed limit.

It was the consensus of the Committee to first have the Township Engineer investigate and then contact the County.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #20-26 on final consideration, same to be published according to law.

Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised September 4, 2020 in the Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE # 20-26

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, ESTABLISHING WEIGHT LIMIT ON RIVER ROAD FROM THE INTERSECTION OF NEW JERSEY STATE HIGHWAY ROUTE 202 AND RIVER ROAD TO THE INTERSECTION OF CASE BOULEVARD AND RIVER ROAD IN THE TOWNSHIP OF RARITAN

BE IT ORDAINED by the Mayor and Township Committee of the Township of Raritan that the following be and is established:

Section 1 – Weight Limit

Vehicles over the registered gross weight limit of fifteen (15) tons are hereby excluded from the streets or parts of streets described herein except for the pickup and delivery of materials on such streets.

River Road from the intersection of New Jersey State Highway Route 202 and River Road to the intersection of Case Boulevard and River Road.

Section II

That all signs, posts or other necessary materials be installed and shall conform to the current Manual on Uniform Traffic Control Devices pursuant to N.J.S.A. 39:4-198 and N.J.S.A. 39:4-183.27.

Section III

Unless another penalty is expressly provided by New Jersey Statute, every person convicted of a violation of this Ordinance or any supplement thereto shall be subject to the penalties set forth in Chapter 1.08 of the Township Code.

Section IV - Severability

If the provision of any article, section, subsection, paragraph, subdivision or clause of this Chapter shall be judged invalid by an Court of competent jurisdiction, such Order of Judgment shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause and to this end the provisions of this Ordinance are hereby declared to be severable.

Section V

All other provisions of the said Ordinance shall remain in full force and effect.

Section VI

This Ordinance shall take effect immediately upon final adoption, publication and approval by the Commissioner of the Department of Transportation of the State of New Jersey in accordance with the laws of the State of New Jersey.

CORRESPONDENCE

New Jersey Department of Community Affairs approval of the determination of Block 27, Lot 22 and 23 (South Junction Road Redevelopment) as an area in need of redevelopment (non-condemnation) – Mayor Kuhl advised that the correspondence provided in the meeting packet was for informational purposes only.

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes of September 1, 2020.
Motion by MacDade, seconded by Reiner

ROLL CALL VOTE:

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

Mayor Kuhl read Resolution #20-213 by title.
Mayor Kuhl asked for a motion to adopt Resolution #20-213.
Motion by Hazard, seconded by Gilbert

ROLL CALL VOTE:

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

RESOLUTION #20-213

**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 2020 through April 2021.

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 MacDade

ROLL CALL VOTE:

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

RESOLUTION #20-214

**A RESOLUTION AMENDING RESOLUTION #20-211 AUTHORIZING THE RELEASE
OF A CASH PERFORMANCE GUARANTEE
(GORMAN)**

WHEREAS, on September 1, 2020 the Township Committee approved the release of a cash performance guarantee posted by John Gorman in the amount of \$7,200.00; and

WHEREAS, language referencing any accrued interest was omitted from Resolution #20-211; and

WHEREAS, the correct amount to be refunded is \$7,200.00 plus any accrued interest.

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 performance guarantee posted by John Gorman in the amount of \$7,200.00 plus any accrued interest is hereby returned.

RESOLUTION #20-216

**A RESOLUTION APPROVING THE RENEWAL OF INACTIVE RETAIL
ALCOHOLIC BEVERAGE LICENSE NO. 1021-36-016-001
FLEMINGTON F&B LLC FOR THE 2020-2021 TERM**

WHEREAS, a renewal application has been filed with the Township of Raritan together with the required renewal fees for the 2020-2021 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 2020-2021 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 the renewal of inactive Hotel/Motel License Number 1021-36-016-001 held by Flemington F&B, LLC for the 2020-2021 term.

RESOLUTION #20-217

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) NEW JERSEY DEPARTMENT OF TRANSPORTATION

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 \$185,000.00 from the New Jersey Department of Transportation and wishes to amend its 2020 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 2020 in the sum of \$185,000.00 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:
Department of Transportation

BE IT FURTHER RESOLVED that a like sum of \$185,000.00 is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from Caps

Public and Private Programs Off-Set by Revenues:
Department of Transportation
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.

During Public Comment, Mr. Hutchins announced that TAPinto Reporter, Ken Burns, will no longer be reporting for the Township. Mr. Hutchins extended gratitude for Mr. Burns' objective reporting of Township information and well wishes in future endeavors. Committee Members echoed Mr. Hutchins' sentiments.

Mayor Kuhl announced the passing of Dick Mannon, recognizing Mr. Mannon for his many years of community contributions.

ADJOURNMENT

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

Meeting adjourned at 7:41 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk