

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
TUESDAY, SEPTEMBER 3, 2019**

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, Louis Reiner; Comm. Karen Gilbert; Comm. Gary Hazard; Comm. Michael Mangin

ABSENT: None

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

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.

Attorney, Ed Purcell, read Resolution #19-209 in full.

Mayor Kuhl asked for a motion to approve Closed Session Resolution as amended with the inclusion of "Shared Services."

Motion by Gilbert, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-209

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: Mavrode Holdings Financial Agreement and Proposal; Parks and Recreation/Shared Services; Comcast Franchise Renewal
 - b. Personnel: Board Appointments; Crossing Guards
 - c. Attorney-Client Privilege:
 - d. Pending Litigation: Hunterdon Medical Center PILOT Program
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 7:06 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.

Committee Member Mangin requested that Resolution #19-212 appointing Phillip Canale as Probationary Police Officer be advanced for consideration following public comment, as interested parties were in attendance.

Motion by Mangin, seconded by Reiner to approve the Agenda as amended.

ROLL CALL VOTE:

AYES: Gilbert, Hazard, Mangin, 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.

There was no public comment.

Mayor Kuhl read Resolution #19-212 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-212.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION # 19-212

**A RESOLUTION AUTHORIZING APPOINTMENT OF PHILLIP CANALE
AS PROBATIONARY PATROL OFFICER**

WHEREAS, the Mayor and Township Committee of the Township of Raritan are desirous of filling a vacancy within the Raritan Township Police Department; and

WHEREAS, after interviews and reviews of applicants, Acting Chief of Police, Alfred Payne, recommends that Phillip Canale be appointed as a Probationary Patrol Officer.

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 officer is hereby appointed:

*Phillip Canale
Appointed as Probationary Patrol Officer
Effective September 4, 2019*

Committee Member Hazard administered the Oath of Office to Patrol Officer Canale.

EMPLOYEE RECOGNITION

School Resource Officer, Timothy Nemeth, was recognized by the Township Committee for his 20 years of service. Committee Members commended and extended gratitude to Officer Nemeth for his service to the community and the school district.

At this time, Mayor Kuhl advised that Sergeant Robert Landolina and Sergeant David Carson will be recognized at the September 17, 2019 meeting, as they could not be present at tonight's meeting.

PRESENTATION – HUNTERDON COUNTY FAMILY SUCCESS CENTER

Carmel Gettings, an employee of Hunterdon Prevention Resources, appeared before the Committee to provide information about the Hunterdon County Family Success Center located at 87 Park Avenue, Flemington. Ms. Gettings explained that the Center is funded by a grant which was received eight years ago from the Department of Children and Families for the prevention of child abuse and neglect and to strengthen and empower families. Ms. Gettings continued that the Center provides assistance and a warm, friendly place for families to go when they are in a crisis offering the following:

- *6-week parenting program
- *identity theft
- *financial literacy
- *Assistance to senior citizens
- *After-school activities for children including a girl scout troop
- *STEM program
- *Robotics program
- *Knitting and crocheting classes for seniors
- *Pro bono legal advice
- *Programs with Raritan Valley Community College
- *Recovery program
- *Post-partum depression
- *Beautiful Puzzles Program for those dealing with Autism, and Down's and Asperger syndromes
- *Job readiness with the high school for the learning disabled
- *Offering of fresh produce from July through November

Committee Member Gilbert encouraged Committee Members to visit the center and commented on the pleasant, welcoming atmosphere. Committee Member Hazard recognized the organization and Mr. and Mrs. Gettings for their service and support to the community and those in need.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: \$4,910,446.48

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

ROLL CALL VOTE:

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

Payment of Bills as listed for the Raritan Township Fire Company: \$2,240.22

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

ROLL CALL VOTE:

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

REPORTS

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

*Tax Collector -- July

LIAISON REPORTS

Karen Gilbert: Environmental Commission/Green Team; Historians; Open Space; Parks and Recreation; Planning Board (Class III Member)
Committee Member Gilbert announced the date for Community Day, September 28 (rain date September 29) and advised that food vendors are needed.

Gary Hazard: Court/Police; RTMUA
Committee Member Hazard thanked Police Chief Payne and his leadership for finding great police officers; reiterated the swearing in of the new police officer this evening; and reported on a meeting of the RTMUA. Committee Member Hazard advised that it was business as usual for the RTMUA and announced that the next meeting is the third week of September.

Jeff Kuhl: Planning Board (Class I Member); Personnel; Finance; Historians; Open Space
(Mayor)
Mayor Kuhl announced that the Local Historians annual trip is October 12 to the Mercer Museum and one other museum in Doylestown, PA. Mayor Kuhl reported that the Open Space Advisory Committee meeting was cancelled and that the Planning Board approved the preliminary site plan for the Junction Road redevelopment.

Michael Mangin: Board of Health; Finance; Public Works
Committee Member Mangin announced that the Board of Health meeting was cancelled and that the next meeting is scheduled for September 19; advised that information regarding the 2019-2020 recycling program is part of the meeting packet and reported that the recycling of plastic bags has been added to the Township's recycling program. Committee Member Mangin also advised that road materials such as sand and stone are being stored at Lenape Park.

Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Wildlife Management Advisory Committee
(Deputy Mayor)
Deputy Mayor Reiner announced that September 8 is the annual Raritan Township Fire Company stair climb to honor the fallen victims of 9-1-1. He continued that the event begins at 8:00 a.m. at the parking garage of the Hunterdon Medical Center. Deputy Mayor Reiner reported on his attendance at a recent Somerset Patriots game where Steve Kalafer invited participants of the Raritan Township Junior Police Academy and their families to attend advising a good time was had by all. Deputy Mayor Reiner also recognized Mr. Kalafer for his contributions to the community.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

- a. **Amending Chapter 8.040.020 of the Revised General Ordinances of the Township of Raritan – Prohibited Activities on Board of Education properties** – School Resource Officer, Timothy Nemeth, explained that vaping, the use of electronic devices which turn nicotine or “e-liquid” into a vapor or aerosol for consumption or inhalation has reached epidemic levels among students. He continued that current Township Ordinances and New Jersey law does not include vaping.

Officer Nemeth further explained that currently vaping is just a violation of school policy and does not get reported to him until after several infractions and even then, there is little he can do. He continued that the biggest concerns are the misconception that vaping is a safe alternative to smoking and the second-hand effects of inhaling vapes or plumes on the younger community. Officer Nemeth commented that the proposed ordinance would prohibit vaping in the schools and therefore provide a law enforcement tool which will hopefully deter usage in the schools.

Mr. Purcell noted that the proposed ordinance draft prohibits smoking tobacco in the PD only and recommended it be amended to include the municipal building.

A brief discussion was held regarding clarifying the definition of Township parks. Mr. Hutchins commented that all ordinances dealing with prohibitions in Township parks include every open space property and suggested that the definition in the proposed ordinance reflect same. There were no objections. Mr. Purcell to revise draft accordingly for introduction at the September 17 meeting.

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- b. **2019-2020 Recycling & Non-Recycling Program; 2020 Non-recycling and E-Waste permits** – Mayor Kuhl referred to recommendations for the 2019-2020 recycling and non-recycling program provided by Recycling Coordinator, Kayla Hulcher. Mr. Hutchins explained that the addition of plastic bag recycling was approved by resolution and that the fee schedule and other details remain the same. There were no objections to the recommendations submitted.

Mr. Hutchins further explained that with respect to the non-recycling permit stickers, a color is selected every year to create awareness of a cause. He continued that this year’s selection was orange for leukemia awareness and that Ms. Hulcher is seeking approval of the Committee.

Committee Member Gilbert asked that it be noted on the sticker that the color represents “awareness.” Mr. Hutchins to advise Ms. Hulcher to include the language “leukemia awareness” on the sticker.

ORDINANCES (INTRODUCTION/FIRST READING)

There were none.

ORDINANCES (PUBLIC HEARING/FINAL ADOPTION)

Mayor Kuhl read by title Ordinance #19-23.

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR AN “AREA IN NEED OF REDEVELOPMENT” KNOWN AS THE “U.S. BRONZE REDEVELOPMENT PLAN” CONSISTING OF BLOCK 40, LOT 4 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN IN ACCORDANCE WITH N.J.S.A. 40A:12A-7, AND SUPPLEMENTING AND AMENDING TITLE 16 ENTITLED “LAND DEVELOPMENT” BY THE AMENDMENT OF CHAPTER 16.22 ENTITLED “ZONING DISTRICTS ESTABLISHED;” AND ADDING NEW CHAPTER 16.28E ENTITLED “U.S. BRONZE REDEVELOPMENT DISTRICT (“UBR”)

Mayor Kuhl asked for a motion to open public hearing.

Motion by Reiner, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenview Drive, commented on the difficulty of hearing Committee Members and the Township Attorney when they speak. Ms. Sachau requested that they speak directly into the microphones.

Sharon Winnick, a resident of 20 Monsey Road, asked whether the site can be used for affordable housing.

Mayor Kuhl advised that there is no residential use permitted on this site.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-23 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised August 23, 2019 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #19-23

AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN FOR AN "AREA IN NEED OF REDEVELOPMENT" KNOWN AS THE "U.S. BRONZE REDEVELOPMENT PLAN" CONSISTING OF BLOCK 40, LOT 4 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN IN ACCORDANCE WITH N.J.S.A. 40A:12A-7, AND SUPPLEMENTING AND AMENDING TITLE 16 ENTITLED "LAND DEVELOPMENT" BY THE AMENDMENT OF CHAPTER 16.22 ENTITLED "ZONING DISTRICTS ESTABLISHED;" AND ADDING NEW CHAPTER 16.28E ENTITLED "U.S. BRONZE REDEVELOPMENT DISTRICT ("UBR")

WHEREAS, the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL") authorizes municipalities to determine whether certain parcels of land within the municipality constitute a "non-condemnation area in need of redevelopment" as described in Section 5 of the Redevelopment Law; and

WHEREAS, to determine whether a certain parcel of land constitutes an area in need of redevelopment, the Township Committee of the Township of Raritan (the "Township Committee") by way of Resolution No. 2019-92, dated March 19, 2019, authorized and directed the Township of Raritan Planning Board (the "Board") to conduct a preliminary investigation to determine whether the area identified as Block 40, Lot 4 as shown on the Tax Map of the Township of Raritan consisting of approximately 22 acres (the "Study Area"), meets the criteria set forth in Section 5 of the LRHL and should be designated as a "non-condemnation area in need of redevelopment;" and

WHEREAS, the Board authorized the undertaking of the preliminary investigation as to whether the Study Area, or any portion thereof, constitutes an area in need of redevelopment in accordance with the LRHL; and

WHEREAS, the LRHL requires the Board to conduct a public hearing prior to making its determination whether the Study Area should be designated as "an area in need of redevelopment," at which hearing the Board shall hear all persons who are interested in or would be affected by a determination that the Study Area is a redevelopment area; and

WHEREAS, the Board held a public hearing to determine whether the Study Area is a "non-condemnation area in need of redevelopment" under the criteria set forth in Section 5 of the LRHL at a regular meeting of the Board on May 29, 2019; and

WHEREAS, at the Public Hearing, Jessica Caldwell, P.P, A.I.C.P. of J. Caldwell & Associates, Inc. presented a report dated May 3, 2019 entitled "Area In Need of Redevelopment Study, United States Bronze Powders, Inc., Block 40, Lot 4 (408 US Route 202);" and

WHEREAS, after the conclusion of the Public Hearing, and in consideration of the Report and the substantial and credible testimony presented, the Board, on May 29, 2019, by unanimous voice vote, determined that the Study Area met one or more criteria to designate the Study Area as an "area in need of redevelopment," which was memorialized by way of PB Resolution 11-2019; and

WHEREAS, the Township Committee, on June 5, 2019, acted to designate the Study Area an area in need of redevelopment by adopting Resolution 19-136 entitled “A Resolution of the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey Designating Approximately 22 Acres Known as Block 40, Lot 4 as Shown on the Tax Map of the Township of Raritan as a “Non-Condemnation Area in Need of Redevelopment” Under the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.)” and

WHEREAS, subsequent to the Study Area’s designation as an Area in Need of Redevelopment, the Township’s Planner prepared a redevelopment plan entitled “U.S. Bronze Redevelopment Plan” (“Redevelopment Plan”) which was reviewed by the Planning Board on July 10, 2019 and found to be “not inconsistent” with the Township’s Master Plan, proof of which is attached hereto as **Exhibit “A;”** and

WHEREAS, the Township Committee reviewed the Redevelopment Plan and found the specifics of the Redevelopment Plan to be satisfactory; and

WHEREAS, the Township Committee now desires to adopt the Redevelopment Plan, a copy of which is annexed hereto as **Exhibit “B”** and made a part hereof; and

WHEREAS, the Township Committee further desires to amend Title 16 “Land Development Code” as set forth below to include (for reference purposes) the specific land use, bulk requirements and design standards contained within the Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Raritan, in the County of Hunterdon, State of New Jersey, as follows:

SECTION 1. The Redevelopment Plan attached hereto and made a part hereof as Exhibit “B” is hereby approved pursuant to N.J.S.A. 40A:12A-7 of the Redevelopment Law.

SECTION 2. Chapter 16.22 entitled “Zoning Districts Established” of Title 16 entitled “Land Development Code” of *The Revised General Ordinances of the Township of Raritan*, as heretofore supplemented and amended, is revised as follows:

§ 16.22.010 Establishment of Zones.

A. For the purpose of this Title, Raritan Township is divided into the following zone districts:

...

SJRR South Junction Road Redevelopment District

UBR U.S. Bronze Redevelopment District

...

§ 16.22.025 Zoning Map Amendments.

...

J. The Zoning Map shall be amended to designate the entirety of the designated “Redevelopment Area” consisting of Block 40, Lot 4, containing approximately 21 acres, as a new “UBR U.S. Bronze Redevelopment District.”

SECTION 3. Title 16 entitled "Land Development Code" of *The Revised General Ordinances of the Township of Raritan*, as heretofore supplemented and amended, is hereby supplemented and amended by the addition of new Chapter 16.28E entitled "U.S. Bronze Redevelopment District (UBR)" to read as follows:

§ 16.28E.010 Created.

There is created a "U.S. Bronze Redevelopment District" within the Township of Raritan in order to permit the development of a designated "Redevelopment Area" consisting of approximately 21 acres and identified as Block 40, Lot 4 on the Township Tax Map pursuant to the U.S. Bronze Redevelopment Plan.

§ 16.28E.020 Purpose.

It is the purpose of this chapter to govern the development pursuant to the U.S. Bronze Redevelopment Plan of the UBR U.S. Bronze Redevelopment District of the Township.

§ 16.28E.030 Permitted Uses.

The following uses are permitted in the Plan Area. Uses not identified below are prohibited.

A. Principal permitted uses:

- i. Uses permitted in the I-1 Industrial and I-2 Industrial Zone Districts.
- ii. Mini-warehouse and self-storage facilities.
- iii. Indoor recreation facilities.
- iv. Recreational training facility.
- v. Medical offices.
- vi. Banks, business and professional offices.
- vii. Restaurants.
- viii. Retail and service uses.
- ix. Theaters

B. Accessory Uses:

- i. Off-street parking, loading and unloading.
- ii. Signs and fences.
- iii. Facilities required for employees and visitors, such as cafeterias, recreational and medical facilities.
- iv. Screened and fenced outdoor storage areas.
- v. Other uses and structures customarily incidental to a principal permitted use.

- vi. Retail and wholesale sales of goods manufactured or produced on site, provided that the sales area does not exceed 15% of the gross manufacturing floor area.
- vii. Public and private parking in association with a principal permitted use.

C. Pre-Existing Approvals. Nothing in this Redevelopment Plan shall negate, invalidate, supersede or modify any pre-existing approvals granted by the Planning Board or Board of Adjustment for any uses or structures within the Plan Area. Such uses and structures may remain and continue to be utilized under this Redevelopment Plan in accordance with the pre-existing approvals.

§ 16.28E.040 Area and Bulk Requirements.

The following area and bulk requirements apply to the Plan Area:

	Commercial	Industrial
Min. Lot Area	100,000 Sq. Ft.	5 Acres (1)
Min. Lot Width (inside)	250 Ft.	250 Ft. (1)
Min. Lot Width (corner)	250 ft.	250 Ft. (1)
Principal Structure Setbacks		
Front	75 Ft.	100 Ft. (1)
Rear	50 Ft.	50 Ft.
Side (one)	20 Ft.	50 Ft. (1)
Side (both)	40 Ft.	100 Ft. (1)
Max. Height	2 ½ Stories or 35 Ft. (2)	4 Stories or 60 Ft.
Max. Hard Surface Coverage	60%	60%
Floor Area Ratio	75%	100%

Notes:

(1) For an industrial park, individual lots may have the following reduced standards: 2 acres minimum in lot area, 200 feet lot width, 35 feet one side yard, 85 feet combined side yards and 75 feet front yard. Lots shall front an internal road of the park.

(2) For assisted living facilities, the maximum height is 3 ½ stories or 50 feet.

§ 16.28E.050 **Additional Zoning Regulations.**

Multiple principal uses are permitted on one lot.

§ 16.28E.060 **Parking Standards.**

The parking standards for this Redevelopment Plan will generally follow the use standards outlined in Chapter 16.70, Off-Street Parking and Loading. The following include General Standards for Parking Areas within the Redevelopment Area:

- A. Each off-street parking space shall be measured not less than 9 feet by 18 feet and parallel curb parking spaces shall be 8 feet by 23 feet.
- B. In areas which have head-on parking, other than 90 degrees, the width of the space shall not be less than 9 feet measured at right angles to the parking lines and these lines shall extend to a point measuring 18 feet at right angles to the curb or edge of pavement.
- C. Aisle Widths: Aisles from which vehicles directly enter or leave parking spaces shall not be less than: 25 feet wide for perpendicular parking, 18 feet wide for 60-degree angle parking, and 14 feet wide for 30 and 45 degree angle parking.
- D. Parking areas shall be landscaped in accordance with the design standards for site plan review.
- E. Shared parking and other innovative parking arrangements shall be encouraged.

§ 16.28E.070 **Shared Facilities.**

Shared facilities, including vehicular access, pedestrian access, parking, storm water management and other facilities, are permitted to enable their most logical and efficient locations within the Redevelopment Area, subject to cross easements being provided for the review and approval of the Township Attorney.

§ 16.28E.080 **Buffer Requirements.**

- A. All lots or parts of lots which are improved with a predominately nonresidential use and whose side or rear lines are adjacent to a residential zone shall be screened from such residential zone by landscaped buffer strips or such screening along said lines or rear lines.
- B. No fences on any lot in any nonresidential district shall exceed a height of 8 feet above ground level.

- C. The finished side of a fence must face adjoining properties. Fence posts that are unfinished and any other structural component of the fence must be installed facing the subject property rather than the adjoining property.
- D. Fences shall be architecturally coordinated with structures occupying the same lot and surroundings.
- E. All fences and walls shall be within property lines. No fences or wall shall violate sight easement requirements or street rights-of-way, nor shall any fence obstruct any stream, drainageway or floodplain.

§ 16.28E.090 Landscaping Requirements.

Landscaping must be provided to promote a desirable and cohesive natural environment for patrons, employees, and passing motorists and recreators. Landscaping must also be utilized to screen parking and loading areas, providing windbreaks for winter winds and summer cooling for buildings, streets, and parking, according to the following standards:

- A. All landscaping must have a two-year maintenance guarantee. If any planting material dies within two years of planting, it must be replaced the following planting season.
- B. The existing sense and appearance of the semirural, natural scenic qualities of the Township should be encouraged in site development. Such techniques as clustering of trees and vegetation and retention of existing vegetation are encouraged as appropriate.
- C. Landscaping should favor native species appropriate to the site.
- D. Landscaping should be used to accept and complement buildings and provide for climate control.
- E. Provide for variety and mixture of landscaping.
- F. All parking areas shall be screened from adjacent properties.

§ 16.28E.100 Design Standards.

Building layout and design should meet, to the maximum extent practicable, the requirements of Section 16.20.040 (Design Standards) of the Revised General Ordinances of the Township of Raritan.

§ 16.28E.110 Lighting.

Lighting standards of the Redevelopment Plan are regulated by Section 16.20.040(G) of the Revised General Ordinances of the Township of Raritan.

§ 16.28E.120 Signage.

A comprehensive wayfinding and directional signage package for the parking areas, pedestrian corridors, and buildings should be provided that is consistent with the architecture of the buildings.

The sign package should include design elements such as size, materials, style, and illumination. Signage standards for the Redevelopment Plan are regulated by Section 16.20.040(H) of the Revised General Ordinances of the Township of Raritan.

SECTION 4. All ordinances, or parts thereof, that are inconsistent with this Ordinance are hereby repealed to the extent of any inconsistency.

SECTION 5. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be deemed to be invalid, such adjudication shall apply only to such section, paragraph, subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 6. This Ordinance shall take effect upon (i) filing with the Hunterdon County Planning Board in accordance with the Municipal Land Use Law; and (ii) adoption and publication according to law.

Mayor Kuhl read by title Ordinance #19-24.

AN ORDINANCE REAPPROPRIATING \$27,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF CHAIRS FOR THE COURTROOM AND PANIC ALARMS FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Mayor Kuhl asked for a motion to open public hearing.

Motion by Reiner, 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 #19-24 on final consideration, same to be published according to law.

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

ORDINANCE ADOPTED

Ordinance advertised August 23, 2019 The Courier News. Posted on municipal bulletin board as required by law.

ORDINANCE #19-24

AN ORDINANCE REAPPROPRIATING \$27,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE ACQUISITION OF CHAIRS FOR THE COURTROOM AND PANIC ALARMS FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF RARITAN, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$27,000.00 of the proceeds of obligations originally made available pursuant to the following bond ordinance of the Township of Raritan, in the County of Hunterdon, New Jersey (the "Township") are no longer necessary for the purpose for which the obligations previously were authorized:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Reappropriated</u>
#15-10	Providing for the milling and overlay of Yorkshire Drive, Reading Road and other roads in need of similar repair. (8/10/15)	\$16,500.00
#15-11	Providing for the acquisition of various equipment for the Department of Public Works. (8/10/15)	\$10,500.00

Section 2. \$27,000.00 described in Section 1 hereof and made available pursuant to N.J.S.A. 40A:2-39, is hereby reappropriated to provide for the purchase of chairs for the courtroom and panic alarms for the Police Department.

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 ordinance to the extent of any inconsistency herewith. To the extent that the purposes 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 ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

CORRESPONDENCE

There was no correspondence.

NON-CONSENT

Township Committee Regular Meeting Minutes

Mayor Kuhl asked for a motion to approve the Regular Meeting Minutes August 20, 2019.
Motion by Reiner, seconded by Gilbert

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 August 20, 2019.

Motion by Gilbert, seconded by Mangin

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTIONS

Mayor Kuhl read Resolution #19-210 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-210.

Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-210

**A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF
AN INTERLOCAL SERVICES AGREEMENT FOR TWO CLASS III
SPECIAL LAW ENFORCEMENT OFFICERS BETWEEN HUNTERDON
CENTRAL REGIONAL HIGH SCHOOL BOARD OF EDUCATION AND
THE TOWNSHIP OF RARITAN**

WHEREAS, N.J.S.A. 40A:65-1 et seq., authorizes a local unit to enter into a shared services agreement with another local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive; and

WHEREAS, P.L.1985, c.439, Section 3 (C.40A:14-146.10) allows any local unit, as it deems necessary, to appoint special law enforcement officers to perform the duties and responsibilities permitted by local ordinance authorized by N.J.S.A. 40A:14-118 and within the conditions and limitations as established by the aforementioned act; and

WHEREAS, the Township of Raritan has established the position of Class III Special Law Enforcement Officer by Ordinance #19-11; and

WHEREAS, the Hunterdon Central Regional High School Board of Education has determined that two part-time Class III Special Law Enforcement Officers would improve school safety and security and benefit the entire school community; and

WHEREAS, the Hunterdon Central Regional High School Board of Education and the Township of Raritan have agreed it would be beneficial to have the Township of Raritan Police Department provide two part-time Class III Special Law Enforcement Officers to the Hunterdon Central Regional School District; and

WHEREAS, the Township of Raritan has agreed to provide Hunterdon Central Regional High School with two part-time Class III Special Law Enforcement Officers from the Township of Raritan Police Department; and

WHEREAS, the Township of Raritan and Hunterdon Central Regional High School Board of Education desire to set forth the Interlocal Services Agreement, attached hereto as Exhibit "A," the specific terms and conditions of the services to be performed and provided by the Class III Special Law Enforcement Officers at Hunterdon Central Regional High School and the payment for the same; and

WHEREAS, the Township Committee has reviewed the attached Interlocal Services Agreement and finds the terms and conditions of the Agreement to be acceptable and in furtherance of the general public health, welfare and safety of the Township of Raritan community and those attending Hunterdon Central Regional High School.

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

1. The Interlocal Services Agreement, attached hereto as Exhibit "A," is hereby ratified and approved and the Mayor is hereby authorized to execute the Agreement on behalf of the Township.
2. The Township Clerk is hereby directed to file a copy of the attached Interlocal Services Agreement with the Division of Local Government Services.

3. A copy of the Interlocal Services Agreement shall be made available in the Township Clerk's office for public inspection.
4. The Interlocal Services Agreement shall take effect upon adoption of Resolutions by the Township of Raritan and the Hunterdon Central Regional High School Board of Education and execution of the Agreement by the parties.

Mayor Kuhl read Resolution #19-215 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-215.

Motion by Gilbert, seconded by Hazard

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-215

A RESOLUTION AMENDING RESOLUTION #19-208 AUTHORIZING THE MAYOR AND ADMINISTRATOR TO EXECUTE A COLLECTIVE NEGOTIATIONS AGREEMENT WITH PBA LOCAL 337

WHEREAS, the Township of Raritan and the PBA Union Local 337 concluded negotiations with respect to a new contract for the period January 1, 2020 through December 31, 2024; and

WHEREAS, the Township Committee adopted Resolution #19-162 and Resolution #19-208 amending Resolution #19-162 authorizing the Administrator and Mayor to execute a Memorandum of Agreement at a special meeting on July 2, 2019; and

WHEREAS, it has come to the attention of the Administrator and PBA Local 337 that there was an additional error in the language of the Memorandum of Agreement, specifically Item seven (7) Article XXIII – Insurance, C.; and

WHEREAS, C. Section 5 is amended to read “The Township agrees that no employee hired before January 1, 2020” in the beginning of the first sentence; and

WHEREAS, the Memorandum of Agreement has been amended as stated above and attached hereto regarding the contract terms and conditions.

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 terms and conditions in the new contract between the Township of Raritan and the PBA Local 337 for the period January 1, 2020 through December 31, 2024 is hereby approved as amended and the Mayor and Administrator are authorized to execute said contract with PBA Union Local 337 in accordance with said terms and conditions.

Mayor Kuhl read Resolution #19-217 by title.

Mr. Hutchins explained that the County had entered into a cooperative pricing agreement for electric generation supply for which the Township had also opted in but must also approve the award of contract by resolution. Mr. Hutchins continued to explain that this agreement is for municipal facilities only; does not include Township street lights, as the bid did not come in low enough; and that the savings is estimated around \$13,000.00 over the two-year contract.

Mr. Hutchins further added that there were two options presented in the meeting packet for which the Committee must decide upon and amend the language in the resolution accordingly: Option 1 with a savings of \$13,938.00 and Option 2 with more of the energy coming from green energy with a savings of \$13,423.00

It was the consensus of the Committee to proceed with Bid Group 1A and therefore amend the third Whereas paragraph to read, "the Township Committee has elected to opt in for Bid Group 1A;" to amend the fifth Whereas paragraph to read, "...through Certificate of Availability of funds #19-23;" and amend the sixth Whereas paragraph to read, ".....for Bid Group 1A."

Mayor Kuhl asked for a motion to adopt Resolution #19-217 as amended.
Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

RESOLUTION #19-217

A RESOLUTION AWARDING A CONTRACT TO MIDAMERICAN ENERGY SERVICES, LLC FOR ELECTRIC GENERATION SUPPLY

WHEREAS, the Township of Raritan and the Hunterdon County Cooperative Pricing System have entered into a Cooperative Pricing Agreement pursuant to N.J.S.A. 40A:11-3; and

WHEREAS, the Hunterdon County Cooperative Pricing System, as the lead agency, has complied with the provisions of the Local Public Contracts Law and has awarded a Master Contract for Electric Generation Supply, for Electric Power Supply (Identification Code #51-HCCPS) under Hunterdon County Bid #2019-12 for a twenty-four (24) month contract beginning with meter read date October 2019 and ending September 30, 2021, to MidAmerican Energy Services, LLC, 320 LeClaire Street, Davenport, Indiana 52808 for Bid Group One (1) and One (1) A (attached hereto as Exhibit A); and

WHEREAS, the Township Committee has elected to opt in for Bid Group 1A; and

WHEREAS, in accordance with the provision of the Cooperative Pricing Agreement, the Township must enter into a formal written contract directly with the successful bidder; and

WHEREAS, the Chief Financial Officer has certified that funds are available through certificate of availability of funds #19-23.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that a contract be awarded for the Electric Generation Supply (Identification Code #51-HCCPS) under Hunterdon County Bid #2019-12 for a twenty-four (24) month contract beginning with meter read date October 2019 and ending September 30, 2021, to MidAmerican Energy Services, LLC, 320 LeClaire Street, Davenport, Indiana 52808 for Bid Group 1A.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to execute said contract documents.

Mayor Kuhl read Resolution #19-219 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-219.

Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-219

**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)
DRUNK DRIVING ENFORCEMENT 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 \$4,307.81 from the Division of Criminal Justice for 2019 Drunk Driving Enforcement Fund and wishes to amend its 2019 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 2019 in the sum of \$4,307.81 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:
2019 Drunk Driving Enforcement Fund

BE IT FURTHER RESOLVED that a like sum of \$4,307.81 is hereby appropriated
under the caption of:

General Appropriations

(a) Operations Excluded from Caps

Public and Private Programs Off-Set by
Revenues:

2019 Drunk Driving Enforcement 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.

CONSENT AGENDA

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

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

Motion by Reiner, seconded by Gilbert

ROLL CALL VOTE:

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

NOES: None

ABSTAIN: None

ABSENT: None

RESOLUTION #19-211

A RESOLUTION AUTHORIZING THE RELEASE OF A STREET OPENING BOND (MICHAEL DEGLOMA)

WHEREAS, Michael DeGloma has requested the release of a street opening bond posted in the amount of \$1,000.00 for Block 77.09, Lot 9 (15 Dally Road); and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the release of the street opening bond in the amount of \$1,000.00.

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 release of the street opening bond in the amount of \$1,000.00 posted by Michael DeGloma is hereby granted.

RESOLUTION #19-213

**A RESOLUTION AUTHORIZING THE REFUND
OF CONSTRUCTION PERMIT FEE (BRINKERHOFF ENTERPRISES)**

WHEREAS, Brinkerhoff Enterprises has requested the refund of a permit fee from the Construction Code Office; and

WHEREAS, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated August 26, 2019 recommending the refund of a building permit fee in the amount of \$2,159.00.

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 building permit fee in the amount of \$2,159.00 paid by Brinkerhoff Enterprises is hereby refunded.

RESOLUTION #19-214

**A RESOLUTION AUTHORIZING A REDUCTION IN SURETY AND CASH
PERFORMANCE GUARANTEES FOR VILLAGES AT HEALTHQUEST, LLC**

WHEREAS, RVSC II Villages at Healthquest, LLC posted a surety bond in the amount of \$1,681,106.08 and a cash performance bond in the amount of \$186,789.56; and

WHEREAS, RVSC II Villages at Healthquest, LLC has requested a reduction of its surety and cash bonds; and

WHEREAS, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends a reduction of the surety bond from \$1,681,106.08 to \$618,443.32 and a reduction in cash performance bond from \$186,789.64 plus any accrued interest to \$68,715.92.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the surety bond is reduced to \$618,443.32 and the cash performance bond is reduced to \$68,715.92.

RESOLUTION #19-216

**A RESOLUTION AWARDING A CONTRACT TO
MORTON SALT, INC. FOR ROCK SALT**

WHEREAS, the Township of Raritan and the Hunterdon County Cooperative Pricing System have entered into a Cooperative Pricing Agreement pursuant to N.J.S.A. 40A:11-3; and

WHEREAS, the Hunterdon County Cooperative Pricing System, as the lead agency, has complied with the provisions of the Local Public Contracts Law and has awarded a Master Contract for year two, for the purchase of Salt for Snow and Ice Control for the 2019-2020 Snow Season (Identification Code #51-HCCPS) under Hunterdon County Bid #2018-14 to Morton Salt, Inc. of Chicago, IL for a contract price of \$50.59 per ton for Rock Salt; and

WHEREAS, in accordance with the provision of the Cooperative Pricing Agreement, the Township must enter into a formal written contract directly with the successful bidder; and

WHEREAS, the Chief Financial Officer has certified that funds are available through Certificate of Availability of Funds #19-21.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that a contract be awarded for the purchase of Salt for Snow and Ice Control for the 2019-2020 Snow Season (Identification Code #51-HCCPS) under Hunterdon County Bid #2018-14 to Morton Salt, Inc. of Chicago, IL for a contract price of \$50.59 per ton for Rock Salt.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to execute said contract documents.

RESOLUTION #19-218

**A RESOLUTION AUTHORIZING TAX-EXEMPT STATUS FOR 100 PERCENT
DISABLED VETERAN AND REFUND OF THIRD QUARTER 2019 TAXES**

WHEREAS, on April 15, 2019, Joseph Gill, who resides at 1 West View Drive, Block 25, Lot 3,08, presented and filed an official letter from the Department of Veterans Affairs with the Raritan Township Tax Assessor, Marianne Busher; and

WHEREAS, the official letter stated that his service-connected disability is evaluated at 100 percent with an effective date of December 1, 2018; and

WHEREAS, the deed date is effective July 19, 2019; and

WHEREAS, Mr. Gill is seeking property tax exemption and refund; and

WHEREAS, N.J.A.C. 18:28-2.11 specifically states "Provided all other legal criteria are met, the exemption must be granted as of the date of the letter from the Department of Veterans Affairs granting the rating and provided a written claim is filed with the Assessor. The governing body of a municipality, however, has the discretion to make the exemption retroactive to the date of 100 percent disability stated on the Veteran's Affairs letter provided other legal criteria are met;" and

WHEREAS, Mr. Gill has been granted a 100 percent disabled veteran exemption by the Township Tax Assessor, and

WHEREAS, the Township Tax Collector has recommended a refund of third quarter 2019 property taxes in the amount of \$2,841.02 due to overpayment.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that property tax-exempt status for 100 percent disabled veteran is hereby granted to Joseph Gill with an effective date of July 19, 2019; and

BE IT FURTHER RESOLVED, that third quarter 2019 taxes in the amount of \$2,841.02 are hereby cancelled.

PRIVILEGE OF THE FLOOR

The following members of the public spoke during public comment:

Barbara Sachau, a resident of 2 Glenview Drive, asked if the contract referred to in Resolution #19-215 was settled; if the negotiated contracts reflect a restriction of the number of days permitted to be carried from year to year; and if there is a limitation on the number of days that were not used upon retirement.

Dr. Jeffrey Moore, Superintendent, Hunterdon Central Regional High School (HCRHS), acknowledging the presence of HCRHS Board of Education president, Vincent Panico and Raritan Township Board of Education representative, Scott Nicol, extended gratitude and appreciation to the Township for its support and partnership with the Class III officers, as well as the ordinance to meet the vaping challenges faced within the school. Dr. Moore also acknowledged the Committee for its recognition of Officer Nemeth.

Dr. Moore spoke of Officer Nemeth's instrumental role regarding the Class III officers. He explained that community members, students and staff surveyed, all expressed support for additional officers in the school and sited the reason being the success and partnership with Officer Nemeth. Dr. Moore commended the efforts and relationships with Officer Nemeth, Chief Payne, and the Raritan Township Police Department for paving the way for the support for additional officers.

During Public Comment, Mayor Kuhl and Mr. Purcell advised that the police contract was settled; and that limitations have been set regarding the number of days that can be carried over year to year and for those accumulated for payout at retirement. Mayor Kuhl added that healthcare costs have also been addressed.

At this time, Mayor Kuhl announced that the Committee will reconvene closed session to discuss matters of Personnel regarding board appointments; Pending Litigation regarding Hunterdon Medical Center PILOT Program; and Contract Negotiations regarding the Comcast Franchise Renewal and that the regular meeting will not reconvene and that no action will be taken.

Closed Session reconvened at 8:01 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 Reiner

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 8:28 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk