

**RARITAN TOWNSHIP REGULAR COMMITTEE MEETING  
RARITAN TOWNSHIP MUNICIPAL BUILDING  
TUESDAY, AUGUST 15, 2017**

---

**MEETING CALLED:** Mayor Gilbert called the regular meeting to order at 7:31 p.m.

**ROLL CALL:** The following were present: Mayor, Karen Gilbert; Comm. Michael Mangin; Comm. Richard Chen; Comm. Craig O'Brien; Comm. Louis Reiner. Also present were Attorney, Paul Rizzo (for Township Attorney, Jeffrey Lehrer); Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Public Works Superintendent, Brion Fleming; Township Engineer, Tony Hajjar; Police Chief, Glenn Tabasko.

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

---

**PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE:** Mayor Gilbert 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 Gilbert advised of one additional item to the meeting agenda, a resolution authorizing an emergency appropriation.

Mayor Gilbert asked for a motion to approve the Agenda as amended.  
Motion by Reiner; seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert  
**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.

**Barbara Sachau**, a resident of 2 Glenway Drive, expressed dissatisfaction of the proposed resolution authorizing the appointment of Nicholas Zemplachenko as a regular member to the Environmental Commission and inquired as to whether he was the same person involved in one

of the hunting clubs in the wildlife management program; spoke of a dead fawn on Dayton Road commenting that drivers are not adhering to the 25-mile per hour speed limit; commented that the deer carcass removal bill should include details as to location of the pick up and the day; and also commented on an article regarding white-footed mice and Lyme's disease and the NJ Division of Fish and Wildlife's poor focus on environmental issues.

During Public Comment, Mr. Hutchins advised that tonight's proposed appointment of a regular Environmental Commission member is not the same Zemplachenko involved in the wildlife management program. Chief Tabasko advised that Dayton Road and Mrs. Sachau's road receive more speed enforcement than any other road in the Township in response to Mrs. Sachau's concerns. Committee Member O'Brien suggested researching where deer accidents are occurring and speed limits in those areas and hold discussion at a future regular meeting.

---

**FINANCIAL ISSUES:**

Payment of Bills as Listed for **Raritan Township: \$3,552,785.37**

Motion by O'Brien, seconded by Mangin to approve the bill list for Raritan Township.

**ROLL CALL VOTE:**

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

---

Payment of Bills as Listed for **Raritan Township Fire Company: \$25,607.81**

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

**ROLL CALL VOTE:**

**AYES:** Chen, O'Brien, Reiner, Mayor Gilbert  
**NOES:** None  
**RECUSE:** Mangin  
**ABSENT:** None

---

**REPORTS**

The following staff reports were acknowledged by the Township Committee:

- \*Tax Collector
  - \*Planning/Engineering Escrow Account
-

**LIAISON REPORTS**

- Karen Gilbert: Historians, Finance, Personnel, Planning Board (Class I)  
No report.
- Michael Mangin Planning Board (Class II, RTMUA)  
No report.
- Louis Reiner: Environmental Commission, Green Team, Fire/Rescue/OEM  
No report.
- Richard Chen: Finance, Open Space, Parks & Recreation  
No report.
- Craig O'Brien: Open Space  
Committee Member O'Brien commented that the farmland preservation plan still needs to be passed.

During Liaison Reports, Mayor Gilbert advised that the farmland preservation plan was with the State. Mr. Hutchins added that there were a few final touches to be made and that the State is revising a map. Mayor Gilbert also clarified that final approval of the Open Space plan is provided by the Planning Board. Committee Member Reiner inquired as to the status of the Flemington-Raritan First Aid and Rescue Squad's (FRFARS) new building project. FRFARS' President, Attila Huebscher, advised that the project is in process and that the retention basin needs to be redesigned.

---

**UNFINISHED BUSINESS**

**Energy Aggregate Bid Award** - Mr. Hutchins advised Committee Members that the Township's consultant is not recommending an award at this time, as the rates were not beneficial to the participants. Mr. Hutchins continued that participants will remain on the existing contract until the end of December and if no new award is granted within one hundred twenty (120) days, the plan will revert back to Jersey Central Power and Light (JCP&L).

---

**NEW BUSINESS**

There was no new business.

---

**ORDINANCES (FINAL ADOPTION, PUBLIC HEARING)**

Mayor Gilbert read Ordinance #17-18 by title.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY ESTABLISHING A SALARY AND WAGE PLAN FOR EMPLOYEES REPRESENTED BY THE SUPERIOR OFFICERS ASSOCIATION OF P.B.A. LOCAL 337A FOR THE YEARS 2017-2019 AND PROVIDING FOR THE ADMINISTRATION THEREOF

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

Motion by Mangin, seconded by Reiner

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-18 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

Ordinance advertised August 22, 2017 in The Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #17-18**

**AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY ESTABLISHING A SALARY AND WAGE PLAN FOR EMPLOYEES REPRESENTED BY THE SUPERIOR OFFICERS ASSOCIATION OF P.B.A. LOCAL 337A FOR THE YEARS 2017-2019 AND PROVIDING FOR THE ADMINISTRATION THEREOF**

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

Section I. The salary and wage plan for employees whose positions are represented by the Superior Officers Association of P.B.A. Local 337A shall be as follows:

A. Salary schedule for Captain:

<u>2017</u>	<u>2018</u>	<u>2019</u>
151,762	154,721	157,738

B. Salary schedule for Lieutenants:

<u>Year of Service</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Start	138,622	143,869	146,675
After 20 Years	142,781	148,185	151,075
After 24 Years	144,167	149,624	152,542

C. Salary schedule for Sergeants:

1. Hired as Patrolman Prior to 1/1/97:

<u>Year of Service</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Start	117,751	122,208	124,591
After 5 Years	122,460	127,095	129,574
After 7 Years	123,638	128,318	130,820
After 10 Years	124,816	129,540	132,066
After 15 Years	125,993	130,762	133,312
After 20 Years	127,171	131,985	134,558

2. Hired as Patrolman After 1/1/97:

<u>Year of Service</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>
Start	117,751	122,208	124,591
After 5 Years	122,460	127,095	129,574
After 10 Years	123,638	128,318	130,820
After 15 Years	124,816	129,540	132,066
After 20 Years	125,993	130,762	133,312
After 24 Years	127,171	131,985	134,558

Section II. Any and all matters not contained in this ordinance shall be in accordance with the provisions contained in the Superior Officers Association P.B.A. Local 337A Union contract for the years 2016-2019.

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

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

---

Mayor Gilbert read Ordinance #17-23 by title.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A CONSERVATION EASEMENT AND FIRE TANK ACCESS AND MAINTENANCE EASEMENT APPLICABLE TO BLOCK 27, LOT 24, FROM HONEY PROPERTIES, L.L.C., AND NJR CLEAN ENERGY VENTURES II CORPORATION

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

Motion by Mangin, seconded by Reiner

No public comment.

Mayor Gilbert asked for a motion to close the public hearing and adopt Ordinance #17-23 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE ADOPTED**

Ordinance advertised August 22, 2017 in The Courier News. Posted on municipal bulletin board as required by law.

**ORDINANCE #17-23**

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF A CONSERVATION EASEMENT AND FIRE TANK ACCESS AND MAINTENANCE EASEMENT APPLICABLE TO BLOCK 27, LOT 24, FROM HONEY PROPERTIES, L.L.C., AND NJR CLEAN ENERGY VENTURES II CORPORATION**

**WHEREAS**, the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, wishes to accept a Conservation Easement and Fire Tank Access and Maintenance Easement, conveyed to the Township by Honey Properties, L.L.C., and NJR Clean Energy Ventures II Corporation, applicable to Block 27, Lot 24 as shown on the Tax Map of the Township of Raritan ("Property"); and

**WHEREAS**, this dedication is required by Township of Raritan Planning Board Resolution No. 17-2011, R.T.P.B. #SP-612-P/F; and

**WHEREAS**, the Honey Properties, L.L.C., and NJR Clean Energy Ventures II Corporation, agreed to donate the Easement at no cost to the Township; and

**WHEREAS**, the Township Attorney for the Township of Raritan reviewed the Easement in substantially the form attached and finds it acceptable.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that it hereby authorizes acceptance of the Conservation Easement and Fire Tank Access and Maintenance Easement applicable to Block 27, Lot 24, attached hereto and directs its appropriate officials to sign and record same as may be necessary.

This Ordinance shall become effective according to law.

---

**ORDINANCES (INTRODUCTION, FIRST READING)**

Mayor Gilbert read Ordinance #17-24 by title.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, NEW JERSEY, AMENDING TITLE 3 ENTITLED "REVENUE AND FINANCE" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN TO INCLUDE CERTAIN FEE EXEMPTIONS FOR VETERANS

Committee Member O'Brien urged against setting a particular means of identifying veterans; and spoke of time limits for periods of service for veteran benefit eligibility set by Federal law referring to reservists and suggested additional research at this time. Committee Member O'Brien added that those who served during the Vietnam era are automatically covered as New Jersey State Veterans.

Mayor Gilbert asked for a motion to introduce Ordinance #17-24 on first consideration.

Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for September 5, 2017.

---

Mayor Gilbert read Ordinance #17-25 by title.

AN ORDINANCE ACCEPTING AN UNDERGROUND WATER STORAGE TANK AND ACCESS EASEMENT, A CONSERVATION EASEMENT AND A DEED OF DEDICATION FROM G.S. REALTY CORP. FOR LOT 2.08 IN BLOCK 84 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN (SAVANNAH RIDGE)

Mayor Gilbert asked for a motion to introduce Ordinance #17-25 on first consideration.

Motion by Mangin, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for September 5, 2017.

---

Mayor Gilbert read Ordinance #17-26 by title.

AN ORDINANCE ACCEPTING AN AMENDMENT TO DRAINAGE EASEMENT NO. 1, AMENDMENT TO DETENTION BASIN, DRAINAGE AND ACCESS EASEMENT, INFILTRATION BASIN EASEMENT AND WETLANDS CONSERVATION EASEMENT FROM HEALTHQUEST OF CENTRAL JERSEY, L.L.C. FOR LOT 16 IN BLOCK 9 (NOW OR ABOUT TO BE KNOWN AS LOT 16.03 IN BLOCK 9) AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

Mayor Gilbert asked for a motion to introduce Ordinance #17-26 on first consideration.

Motion by Mangin, seconded by Reiner

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for September 5, 2017.

---

Mayor Gilbert read Ordinance #17-27 by title.

AN ORDINANCE AUTHORIZING ACCEPTANCE OF A DEED OF ROADWAY DEDICATION FOR A PORTION OF BLOCK 8, LOT 3, FROM FRANK CAMERON FISCHER, SUCCESSOR TRUSTEE OF THE FRANK CAMERON FISCHER EXEMPT SHARE UNDER THE FRANK C. FISCHER REVOCABLE TRUST, DATED MARCH 30, 2000, AND SNNJ1, LLC; A CONSERVATION AND DRAINAGE EASEMENT, TEMPORARY CONSERVATION AND DRAINAGE EASEMENT, TEMPORARY RESTRICTIVE COVENANT PROHIBITING SUBDIVISION, AND FIRE TANK ACCESS AND MAINTENANCE EASEMENT APPLICABLE TO BLOCK 8, LOT 3, FROM FRANK CAMERON FISCHER, SUCCESSOR TRUSTEE OF THE FRANK CAMERON FISCHER EXEMPT SHARE UNDER THE FRANK C. FISCHER REVOCABLE TRUST, DATED MARCH 30, 2000, AND SNNJ1, LLC; AUTHORIZE AN ESCROW AGREEMENT FOR DECOMMISSIONING GUARANTY FOR A PORTION OF BLOCK 8, LOT 3, FROM SNNJ1, LLC, AND AUTHORIZE AN ESCROW AGREEMENT FOR LANDSCAPE MAINTENANCE GUARANTY FOR A PORTION OF BLOCK 8, LOT 3, FROM SNNJ1, LLC

Mayor Gilbert asked for a motion to introduce Ordinance #17-27 on first consideration.

Motion by Mangin, seconded by Chen

**ROLL CALL VOTE:**

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

**ORDINANCE INTRODUCED**

Second reading and public hearing date scheduled for September 5, 2017.

---

**CORRESPONDENCE**

\*County-wide fire department – Deputy Mayor Mangin inquired as to the status of the presentation by Freeholder, Rob Walton. Mayor Gilbert advised that establishing a date where Fire Chief, Doug Day can be present is in process.

- \*Gypsy moth defoliation
  - \*Letter of Commendation for Code Enforcement
  - \*Letter of Commendation for Public Works
  - \*NJDOT 2018 State Aid
  - \*New Jersey League of Municipalities
- 

**NON-CONSENT AGENDA**

Mayor Gilbert read Resolution #17-188 by title.

Committee Member O'Brien requested discussion.

Committee Member O'Brien inquired as to the status of credit card usage by the Township; the establishment of petty cash funds; and if all trust funds require a dedication by rider.

Chief Financial Officer, William Pandos, confirmed that the Township is no longer using credit cards and explained that such usage is prohibited by the State. Mr. Pandos advised that the resolutions authorizing the establishment of petty cash funds and custodians, as well as resolutions seeking approval to establish trust funds by dedication by rider will be scheduled for a future agenda and submitted to the Division of Local Government Services (DLGS) accordingly. Mr. Pandos also expressed disappointment in the Auditor's presentation of the 2016 Audit commenting that it should have included a State of the Township not just required action.

Mayor Gilbert asked for a motion to adopt Resolution #17-188.

Motion by Mangin, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-188**

**RESOLUTION APPROVING THE CORRECTIVE ACTION PLAN  
RECOMMENDED IN THE ANNUAL REPORT OF AUDIT FOR 2016**

**BE IT RESOLVED** by the Mayor and Township Committee of Raritan Township, County of Hunterdon, State of New Jersey that the attached Corrective Action Plan, submitted by William Pandos, Chief Financial Officer, be approved and submitted by the Township Clerk to the Division of Local Government Services.

**BE IT FURTHER RESOLVED** that a copy will be placed in the file in the Clerk's Office at the Municipal Building and made available for public inspection within the next 45 days.

---

Mayor Gilbert read Resolution #17-207 by title.

**RESOLUTION AUTHORIZING THE APPOINTMENT OF  
NICHOLAS K. ZEMLACHENKO TO THE ENVIRONMENTAL COMMISSION**

Committee Member O'Brien inquired as to where authority lies with regard to the appointment of members to the Environmental Commission. Mayor Gilbert commented that the appointment is by the Township Committee.

Committee Member O'Brien responded that eighteen months ago the Township Committee chose not to appoint someone to the Environmental Commission and that the Mayor overrode the decision.

A brief debate continued and Mayor Gilbert requested that action on the proposed resolution be carried as further clarification was necessary.

Mayor Gilbert asked for a motion to table Resolution #17-207.

Motion by O'Brien, seconded by Chen

**NOES:** Reiner

**MOTION CARRIED**

---

Mayor Gilbert asked for a motion to table Resolution #17-204, authorizing the appointment of Mohammad Rezaul Karim to the Environmental Commission for further clarification as well.

Motion by O'Brien, seconded by Chen

**NOES:** Reiner

**MOTION CARRIED**

---

Mayor Gilbert read Resolution #17-203 by title.

Committee Member O'Brien requested discussion.

Committee Member O'Brien inquired as to the need to go to referendum regarding a capital purchase and voiced opinion about inconsistency with past methodology.

Deputy Mayor Mangin commented that the Township was also going to seek voter sentiment for a fire command vehicle for the Fire Company but that the Fire Company had pulled the request. Mayor Gilbert added that after assessing its needs, the Fire Company realized they did not want to go to referendum for the command vehicle.

Mayor Gilbert asked for a motion to adopt Resolution #17-203.

Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

During the vote, Committee Member O'Brien stated, "so it will be difficult to vote for further bonding in the future without public referendum. I think we constrain ourselves by doing this in an arbitrary fashion. I have no problem with asking people for the vote on the rescue squad. I support the bonding for an ambulance for the rescue squad now, as there is a public need. If we don't apply the rules fairly and evenly across the board, we invite further trouble and we invite disorder in the administration of government. I vote yes."

Mayor Gilbert stated, "I don't want to belabor this point but frankly this is a unique set of circumstances. It was in the capital plan a couple of years ago and it was pulled. And, it was not pulled by consensus. We need a new ambulance that is why we are doing it this way. It is not precedent setting so that anything going forward we have to ask public sentiment. It needs to get done and sometimes you have to use other mechanisms to get things done. My vote is yes."

### **RESOLUTION #17-203**

**A RESOLUTION OF THE TOWNSHIP OF RARITAN, HUNTERDON COUNTY, NEW JERSEY FOR THE PURPOSE OF AUTHORIZING ONE REFERENDUM QUESTION TO BE PLACED ON THE NOVEMBER 7, 2017 GENERAL ELECTION BALLOT, SEEKING VOTER SENTIMENT ON THE PURCHASE BY THE TOWNSHIP OF A REPLACEMENT FIRST AID AMBULANCE**

**WHEREAS**, it has been requested of the Township Committee of Raritan Township that a new ambulance be purchased for the first aid squad; and

**WHEREAS**, the Township Committee of the Township of Raritan desires to ascertain the sentiment of the legal voters of Raritan Township (“Raritan”) regarding the proposal to purchase said ambulance by bond to replace a 19-year old ambulance by way of a non-binding referendum at the next general election; and

**WHEREAS**, N.J.S.A. 19:37-1 authorizes the governing body, when there is no other statute by which the voters’ sentiment can be ascertained by the submission of such a question to a vote of the electors, to adopt an ordinance or resolution requesting the County Clerk print on the official ballots to be used at the next general election a certain proposition as indicated in the ordinance or resolution in concise language; and

**WHEREAS**, the form of any public question put to the voters must follow the guidelines indicated in N.J.S.A. 19:3-6, which requires the phrasing of any public question on a ballot to clearly set forth the true purpose of the matter being voted upon, in simple language that can be easily understood by the voter;

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

**Section 1.** The Township Committee of the Township of Raritan requests the Hunterdon County Clerk print upon the official ballot to be used at the November 7, 2017, general election, the following proposition:

To vote upon the public question printed below:

if you are in favor – push the button next to the word “yes”

if you are opposed – push the button next to the word “no”

Shall the Township Committee of the Township of Raritan adopt a bond ordinance in the amount of \$200,000.00 (minimum: \$10,000.00 cash down payment required) in order to purchase a new ambulance for the first aid squad to replace the existing 1998 model year ambulance?

**Section 2.** The following Interpretive Statement shall accompany the aforesaid proposition:

**INTERPRETIVE STATEMENT:**

The proposed bond ordinance would be used to purchase a new ambulance for the first aid squad to replace an existing 19-year old ambulance. Pursuant to the proposed bond ordinance, the Township would issue \$200,000.00 in bonds which would be paid back over time. The bond ordinance requires a down payment in the amount of \$10,000.00 which would have to be included in the 2018 budget. The rescue squad has agreed to contribute \$60,000.00 to cover the difference between what would be bonded by the Township and what the total cost of the new ambulance would be.

A "Yes" vote on the above question means that you do want the Township Committee to purchase a new ambulance to be funded through the adoption of a bond ordinance.

A "No" vote on the above question means that you do not want the Township Committee to purchase a new ambulance to be funded through the adoption of a bond ordinance.

**Section 3.** The Raritan Township Clerk is hereby directed, after adoption of this Resolution, to forward a certified copy to the Hunterdon County Clerk by not later than 81 days prior to the November 7, 2017, General Election (or by August 18, 2017), for placement on the official ballot.

**Section 4.** If any word, phrase, clause, sentence, paragraph or section of the Resolution is for any reason held to be unconstitutional, or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution.

**Section 5.** This Resolution shall take effect immediately upon final passage and publication in accordance with law.

---

Mayor Gilbert read Resolution #17-200 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-200.

Motion by O'Brien, seconded by Mangin

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-200**

**AUTHORIZING THE PURCHASE OF A FORD F250 PICK-UP TRUCK  
IN THE PUBLIC WORKS DEPARTMENT**

**WHEREAS**, the Township of Raritan is in need of an additional pick-up truck for the Department of Public Works; and

**WHEREAS**, Ditschman Flemington Ford, LLC of 215 US Highway 202 Flemington, NJ 08822, has been awarded contract #15-C Utility Vehicles (2017 or newer models) through the Morris County Cooperative Pricing Council (MCCPC); and

**WHEREAS**, the Superintendent of Public Works recommends the purchase of one 2017 or newer Ford F250 4x4 regular cab pick-up under MCCPC Contract #150C, Item #15; and

**WHEREAS**, the cost of this will be at the bid price as documented by the Morris County Cooperative Pricing Council and appropriated through Ordinance #16-10 for the amount of \$26,523.00; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available through Certificate of Availability of funds #17-14 for the purchase of said truck.

**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 procurement of one new 2017 or newer Ford F250 regular cab pick-up will be purchased through Ditschman Flemington Ford, LLC of 215 US Highway 202, Flemington, NJ, 08822, at the 2016-2017 Morris County Cooperative Pricing Council price.

---

Mayor Gilbert read Resolution #17-208 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-208.

Motion by Mangin, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-208**

**RESOLUTION OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, TO NOT AWARD A CONTRACT TO A THIRD-PARTY POWER SUPPLIER TO PROVIDE ELECTRIC GENERATION SERVICE TO RARITAN-FLEMINGTON ENERGY PROCUREMENT COOPERATIVE'S COMMUNITY ENERGY AGGREGATION (RFEP CEA) PROGRAM PARTICIPANTS AND TO PROVIDE GOVERNMENT ENERGY AGGREGATION SERVICES IN CONNECTION WITH THE RFEP CEA PROGRAM PURSUANT TO N.J.A.C. 14:4-6**

**WHEREAS**, the Government Energy Aggregation Act of 2003 (PL. 2003, C24) governs the establishment of a government energy aggregation program, which is a government-operated purchasing cooperative through which multiple energy consumers join together for the purchase of electric utility services by a government aggregator; and

**WHEREAS**, the New Jersey Board of Public Utilities has promulgated rules (N.J.A.C. 14:4-6) for the implementation of government energy aggregation programs; and

**WHEREAS**, the Raritan Township Committee passed an ordinance dated August 14, 2014 (No. 14-14) authorizing the formation of a Government Energy Aggregation in the Township of Raritan, New Jersey; and

**WHEREAS**, the Borough of Flemington ("Borough"), a municipality in the State of New Jersey adopted Ordinance No. 2014-22 on November 17, 2014 authorizing the formation of a Government Energy Aggregation in the Borough of Flemington; and

**WHEREAS**, on December 2, 2014 the Raritan Township Committee adopted Resolution No. 14-229 which authorizes the Township to form a cooperative pricing system named the Raritan-Flemington Energy Procurement Cooperative ("RFEP C"), with the Township designated as Lead Agency thereof, for the purpose of soliciting proposals for and the purchase of electric generation services and energy aggregation services for residents of the Township of Raritan and the Borough of Flemington called the RFEP C Community Energy Aggregation Program ("RFEP C CEA"), and on May 16, 2017 the Raritan Township Committee adopted Resolution No. 17-124 which renewed the cooperative pricing system for an additional three years; and

**WHEREAS**, on January 26, 2015 the Flemington Council adopted Resolution No. 2015-41 which authorizes the Borough to become a Participating Member of the Raritan-Flemington Energy Procurement Cooperative, and which designates the Township as Lead Agency of the RFEPC, for the purpose of soliciting proposals for and the purchase of electric generation services and energy aggregation services for residents of the Borough, and on May 8, 2017 the Flemington Council adopted Resolution No. 2017-96 which renewed the Borough's participation in the cooperative pricing system; and

**WHEREAS**, Ordinance No. 14-14 and 2014-22 and Resolutions No. 17-124 and 2017-96 designated the Township as the Lead Agency of the RFEPC, and memorialized the Lead Agency's intent to solicit proposals for electric generation service for Township and Borough residents who do not "opt-out" of the RFEPC CEA program; and

**WHEREAS**, in accordance with New Jersey Board of Public Utilities rules (N.J.A.C. 14:4-6) and applicable law (PL. 2003, C24), the Township is authorized to award a contract for electric generation service and government energy aggregation services on behalf of participating Township and Borough residential customers; and

**WHEREAS**, the Township of Raritan, in its capacity as Lead Agency, publicly noticed and issued on July 19, 2017 a Request for Proposals (RFP) for the Provision of Electric Generation Service and Government Energy Aggregation Services for the second round of the RFEPC CEA Program (RFEPC CEA-Round 2) and has solicited bids from qualified suppliers in New Jersey; and

**WHEREAS**, the RFP provided for a two-stage process that included: Stage 1 for the submission of supplier questions and comments and the submission of qualification documents by interested, New Jersey Board of Public Utilities (NJBPU) -licensed electric power suppliers; and Stage 2 for the submission of bid prices; and

**WHEREAS**, the RFP provides for the submission of separate pricing for electric generation service for one pricing group, Participating Residential Accounts, for several potential start dates and contract durations (terms), and for two different contract language options: Option A) using the form of Master Performance Agreement attached to the RFP; and Option B) using the form of MPA attached to the RFP except that subsection 3.2 (a) (iii) (C) is removed, and a new subsection 2.1.5 as set forth above is added to the MPA; and the RFP provides for the award of a contract, including start date, contract duration and contract language option, at the discretion of the Lead Agency, and in accordance with the evaluation criteria set forth in the RFP; and

**WHEREAS**, during Stage 1 non-binding Notices of Intent and other required qualification documents were received from four (4) NJBPU-licensed electric power suppliers who were deemed qualified to submit Stage 2 price proposals; and

**WHEREAS**, a number of supplier questions and comments were received and, as a result, on August 4, 2017 an Addendum No.1 to the RFP was issued and distributed to all suppliers that had submitted a Notice of Intent to Propose; and

**WHEREAS**, Stage 2 price proposals and accompanying Transmittal Letters were submitted by 3 NJBPU-licensed electric power suppliers by the 2:00 p.m. August 15, 2017 deadline set forth in the RFP; and

**WHEREAS**, the Raritan Township Committee, in consultation with the Borough of Flemington as well the Township's energy agent, has conducted extensive and in-depth evaluation of qualifications and analysis of price proposals, in accordance with the evaluation criteria set forth in the RFP and Addendum No.1; and

**WHEREAS**, as a result of the evaluation of qualifications and proposals and analysis of price proposals submitted on August 15, 2017, the Raritan Township Committee has determined that no contract award shall be made at this time.

**NOW, THEREFORE, BE IT RESOLVED** that the Raritan Township Committee shall make no contract award as a result of the price proposals submitted on August 15, 2017; and

**FURTHER RESOLVED** that the RFP shall be held open for a period of up to 120 days, and the Township may accept refreshed prices in accordance with the RFP, at any time during that 120-day period, consistent with applicable law.

---

At this time, Mayor Gilbert asked for motion to proceed with a resolution authorizing an emergency appropriation to fund the guide rails in the amount of \$35,000 and the four-wheel drive vehicle for the Police Department in the amount of \$55,000 to be memorialized at the September 5, 2018 regular meeting.

Motion by Mangin, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

During the vote, Mayor Gilbert stated, "yes, with the reservation that we have to be careful about doing this, we need to heed our CFO and Administrator's advice and not continue to do emergency appropriations."

---

**CONSENT AGENDA**

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

At this time, Committee Member Reiner asked that Resolution #17-197 Designating School Crossing Guards for the 2017-2018 School Year be removed from the Consent Agenda for further consideration.

Mayor Gilbert read the following resolutions by title.

Mayor Gilbert asked for a motion to adopt the Consent Agenda as amended.

Motion by Mangin, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-199**

**AUTHORIZING THIRD AND FOURTH QUARTER 2017 TAX REFUNDS**

**WHEREAS**, the Township Tax Collector has recommended the refund of overpayments;  
and

**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.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Raritan that the following receive a refund in the amount specified due to overbilling of third and fourth Quarter, 2017 Taxes:

<u>Taxpayer</u>	<u>Amount</u>	<u>Block</u>	<u>Lot</u>
Arab, George A. Family Trust (135 Oak Grove Road)	\$ 143.61	20	1
Elizabethtown Water Co.-American (120 Thatchers Hill Road)	\$3,235.41	15	30 Q0004
Elizabethtown Water Co.-American (Thatchers Hill Road)	\$7,647.75	15	31 Q0004
Flemington/Raritan First Aid/Rescue (29 Royal Road)	\$2,861.82	36.02	19
Jenks, Edwin L. & Joan M.	\$ 120.26	41	32 Q0008

---

**RESOLUTION #17-201**

**AUTHORIZING THE REFUND OF A VARIANCE APPLICATION FEE**

**WHEREAS**, Jacqueline Suddeath has requested a refund of her Variance application fee;  
and

**WHEREAS**, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated August 1, 2017 and recommended the refund of the Variance application fee in the amount of \$300.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan that the Variance application fee paid by Jacqueline Suddeath in the amount of \$300.00 is hereby refunded.

---

**RESOLUTION #17-202**

**AUTHORIZING THE RETURN OF DEVELOPER'S ESCROWS**

**WHEREAS**, Cellco has requested the return of its Developer's Escrows; and  
**WHEREAS**, Danielle Langreder, Assistant Supervisor of Accounts, has submitted a memo dated August 2, 2017 and recommended the return of the following Developer's Escrows:

Cellco/BOA-1-2008	\$10,443.34
Cellco/BOA-2-2008	\$ 1,446.90
Cellco/BOA-1-2007	\$ 722.93
Cellco/BOA-2-2013	\$ 1,035.44

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Raritan that the Developer's Escrows in the amounts of \$10,443.34, \$1,446.90, \$722.93, \$1,035.44 posted by Cellco are hereby refunded.

---

**RESOLUTION #17-206**

**AUTHORIZING THE REDUCTION OF A CASH PERFORMANCE  
GUARANTEE IN THE AMOUNT OF \$136,050 TO PADERO SOLAER  
(FISHER SOLAR FARM)**

**WHEREAS**, Padero Solaer USA, Inc. in February, 2017 posted a \$850,645.20 cash performance guarantee; and

**WHEREAS**, Padero Solaer USA, Inc. requested a reduction of its cash performance guarantee March 9, 2017 and April 12, 2017 in the amounts of \$177,312.10 and \$380,370.00 respectively; and

**WHEREAS**, Padero Solaer USA was refunded a reduction of its cash performance guarantee in the amounts of \$177,312.10 and \$380,370.00 respectively; and

**WHEREAS**, the Township of Raritan has retained \$189,150.00; and

**WHEREAS**, Padero Solaer USA has requested a reduction of the remaining cash performance guarantee; and

**WHEREAS**, Township Engineer, Antoine Hajjar, has performed a site inspection and recommends the reduction the cash performance guarantee be reduced in the amount of \$136,050.00 and:

**WHEREAS**, the Township of Raritan will retain \$53,100.

**NOW THEREFORE BE IT RESOLVED** by the Mayor and Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey that the cash performance guarantee be reduced in the amount of \$136,050.

---

Mayor Gilbert read Resolution #17-197 by title.

Committee Member Reiner voiced opposition regarding the Township paying for school crossing guards. Mayor Gilbert clarified that school crossing guards are employees of the Township.

Mayor Gilbert asked for a motion to adopt Resolution #17-197.

Motion by Chen, seconded by Mangin

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Mayor Gilbert

**NOES:** Reiner

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-197**

**RESOLUTION DESIGNATING SCHOOL CROSSING GUARDS  
FOR THE 2017-2018 SCHOOL YEAR**

**WHEREAS**, the Mayor and Township Committee recognize the need in the Township for School Crossing Guards to maintain safe travel for those students who walk to school; and

**WHEREAS**, candidates for this position of School Crossing Guard have completed or are in the process of completing their crossing guard training in accordance with Raritan Township Rules & Regulations/Policies and Procedures, Volume II, Chapter 14 of Title 40A of the New Jersey Statutes.

**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 persons be designated as School Crossing Guards for 2017-1018:

**Regular Guards**

Carol Cuccia  
Marsha Gerstein  
Bernadette Kelly  
Tanya Lovisa  
Lisa Mazzone  
Roberta Porzilli  
Audrey Rounsaville

**Substitute Guards**

Charlene Santo  
Mary Buckley

---

**PRIVILEGE OF THE FLOOR**

Anyone may address the Committee on any issue for three (3) minutes.

There was no public comment.

At this time, Committee Member O'Brien inquired whether the refund of developers' escrow fees was included in the Planning/Engineering Escrow report. Mr. Hajjar clarified that these fees are not included and explained that whatever is left in the applicant's escrow account is refunded upon request.

Mayor Gilbert asked for a motion to adopt Resolution #17-198.

Motion by Reiner, seconded by Mangin

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Mayor Gilbert

**NOES:** Reiner

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-198**

**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:
    - i. Renewal of Lease Agreement with the the Borough of Flemington and the Township of Raritan for Use of Office and Meeting Room Space in the Raritan Township Police Department Building for Flemington Borough Court
    - ii. Healthcare Premiums
  - b) Personnel: Tax Collector, Fire Prevention Inspector, Public Works Road Supervisor
  - c) Attorney Client Privilege:
  - d) Pending Litigation: Declaratory Judgment Action

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

3. The Committee may come back into Regular Session and take further action.
4. This Resolution shall take effect immediately.

---

**ADJOURNMENT**

Mayor Gilbert asked for a motion to adjourn and convene Closed Session.

Motion by Reiner, seconded by Chen

**MOTION UNANIMOUSLY CARRIED**

---

The regular meeting adjourned at 8:30 p.m.

---

***CLOSED SESSION MINUTES ARE COMPLETED IN A SEPARATE DOCUMENT***

---

The regular meeting reconvened at 9:29 p.m.

---

Mayor Gilbert read Resolution #17-209 by title.

Mayor Gilbert asked for a motion to adopt Resolution #17-209.

Motion by Reiner, seconded by Chen

**ROLL CALL VOTE:**

**AYES:** Chen, Mangin, O'Brien, Reiner, Mayor Gilbert

**NOES:** None

**ABSTAIN:** None

**ABSENT:** None

**RESOLUTION #17-209**

**RESOLUTION RATIFYING MEMORANDUM OF AGREEMENT  
FOR SHARON BROWN**

**WHEREAS**, Sharon Brown, Township of Raritan Tax Collector has requested that her present work week be reduced to 28 hours per week; and

**WHEREAS**, the Mayor and Township Committee of the Township of Raritan has deemed that this is beneficial to the Township of Raritan; and

**WHEREAS**, the Administrator has prepared a Memorandum of Agreement between the Township of Raritan and the Communication Workers of America, AFL-CIO, Local 1040.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey hereby agrees to the terms and conditions set forth in the Memorandum of Agreement between Raritan Township

and the Communication Workers of America, AFL-CIO, Local 1040 specific to Sharon Brown, Tax Collector, Raritan Township.

This resolution shall take effect immediately.

---

**ADJOURNMENT**

Mayor Gilbert asked for a motion to adjourn the meeting.

Motion by Chen, seconded by Reiner

**MOTION UNANIMOUSLY CARRIED**

Meeting adjourned at 9:31 p.m.

Respectfully submitted,



Lisa Fania, RMC  
Township Clerk