

**RARITAN TOWNSHIP COMMITTEE REGULAR MEETING
RARITAN TOWNSHIP MUNICIPAL BUILDING
MONDAY, NOVEMBER 18, 2019**

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

ROLL CALL: The following were present: Mayor, Jeff Kuhl; Deputy Mayor, Michael Mangin; Comm. Gary Hazard; Comm. Lou Reiner

ABSENT: Comm. Karen Gilbert

ALSO PRESENT: Administrator, Don Hutchins; Municipal Clerk, Lisa Fania; Township Attorney, Ed Purcell (arrived at 6:37 p.m.)

MEETING NOTICED: Mayor Kuhl advised that the meeting was noticed in accordance with the Open Public Meetings Act, Chapter 231, P.L. 1975 August 1, 2019 to the Courier News, Hunterdon County Democrat, Star Ledger, TapInto, Express Times and posted on the municipal bulletin board and the Township website.

Mayor Kuhl read Resolution #19-268 in full.

Mayor Kuhl asked for a motion to approve Closed Session Resolution.

Motion by Mangin, seconded by Hazard

ROLL CALL VOTE:

AYES: Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Gilbert

RESOLUTION #19-268

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: Shared Services Hunterdon Central Regional High School; Code Blue; Comcast Franchise Renewal
 - b. Personnel: Police Captain Side Bar Agreement; Board Appointments
 - c. Attorney-Client Privilege:
 - d. Pending Litigation: Collins v. Township of Raritan
3. It is anticipated that the minutes on the subject matter of the Executive Session will be made public upon conclusion of the matter under discussion; and in any event, when appropriate pursuant to N.J.S.A. 10:4-7 and 4-13.
 4. The Committee will return to Regular Session and may take further action.
 5. This Resolution shall take effect immediately.

CLOSED SESSION MINUTES WILL BE DONE IN A SEPARATE DOCUMENT

The regular meeting reconvened at 7:04 p.m.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE: Mayor Kuhl asked all to join in the Pledge of Allegiance to our flag and to remain standing for a moment of silence to remember our men and women serving in the Armed Forces and in particular those serving in troubled areas around the world.

AMEND/APPROVE THE AGENDA

Mayor Kuhl asked for a motion to amend or approve the Agenda.
Motion by Hazard, seconded by Mangin to approve the Agenda.

ROLL CALL VOTE:

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

PROCLAMATION – Recognizing Margaret Hammond For Twenty-One Years of Service

Mayor Kuhl invited Detective Margaret Hammond to the dais and read the proclamation into the record.

**A PROCLAMATION RECOGNIZING MARGARET HAMMOND
FOR TWENTY-ONE YEARS OF SERVICE**

WHEREAS, the Mayor and the Township Committee wish to recognize employees who attain milestones in their employment; and

WHEREAS, Detective Margaret Hammond has achieved twenty-one years of service with the Raritan Township Police Department; and

WHEREAS, Detective Margaret Hammond has provided outstanding public service and demonstrated exemplary performance throughout her career; and

WHEREAS, the success of the Raritan Township Police Department is dependent on the knowledge, professionalism and dedication of officers such as Detective Margaret Hammond.

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Jeff Kuhl, and the Township Committee of the Township of Raritan on this eighteenth day of November, two thousand nineteen do hereby recognize Detective Margaret Hammond for her service, efforts and dedication throughout her twenty-one years of service as an officer in the Raritan Township Police Department and extend sincere gratitude and congratulations on behalf of all citizens of the Township.

PROCLAMATION – Recognizing Brian Taggart For Twenty-Three Years of Service

Mayor Kuhl invited Brian Taggart to the dais and read the proclamation into the record.

**A PROCLAMATION RECOGNIZING BRIAN TAGGERT
FOR TWENTY-THREE YEARS OF SERVICE**

WHEREAS, the Mayor and the Township Committee wish to recognize employees who attain milestones in their employment; and

WHEREAS, Brian Taggart has achieved twenty-three years of service with the Raritan Township Department of Public Works; and

WHEREAS, Brian Taggart has provided outstanding public service and demonstrated exemplary performance throughout his career; and

WHEREAS, the success of the Raritan Township Public Works Department is dependent on the knowledge, professionalism and commitment of employees such as Brian Taggart.

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Jeff Kuhl, and the Township Committee of the Township of Raritan on this eighteenth day of November, two

thousand nineteen, do hereby recognize Brian Taggert for his service, efforts and devotion throughout his twenty-three years of service as an employee in the Raritan Township Department of Public Works and extend sincere gratitude and congratulations on behalf of all citizens of the Township.

PROCLAMATION – Recognizing Edward Yard For Twenty-Four Years of Service – Mayor Kuhl recognized Edward Yard for twenty-four years of service with the Department of Public Works. Mr. Yard was not in attendance.

**A PROCLAMATION RECOGNIZING EDWARD YARD
FOR TWENTY- FOUR YEARS OF SERVICE**

WHEREAS, the Mayor and the Township Committee wish to recognize employees who attain milestones in their employment; and

WHEREAS, Edward Yard has achieved twenty-four years of service with the Raritan Township Department of Public Works; and

WHEREAS, Edward Yard has provided outstanding public service and demonstrated exemplary performance throughout his career; and

WHEREAS, the success of the Raritan Township Public Works Department is dependent on the knowledge, professionalism and commitment of employees such as Edward Yard.

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Jeff Kuhl, and the Township Committee of the Township of Raritan on this eighteenth day of November, two thousand nineteen, do hereby recognize Edward Yard for his service, efforts and devotion throughout his twenty-four years of service as an employee in the Raritan Township Department of Public Works and extend sincere gratitude and congratulations on behalf of all citizens of the Township.

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 were no members of the public in attendance.

FINANCIAL ISSUES

Payment of Bills as listed for Raritan Township: \$5,021,449.54

Mayor Kuhl asked for a motion to approve the bill list for Raritan Township.

Motion by Mangin, seconded by Hazard

ROLL CALL VOTE:

AYES: Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Gilbert

Payment of Bills as listed for the Raritan Township Fire Company: \$2,863.91

Mayor Kuhl asked for a motion to approve the bill list for the Raritan Township Fire Company.

Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

AYES: Hazard, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Gilbert

RECUSE: Mangin

REPORTS

The following October reports were acknowledged by Committee Members:

*Animal Control

*Court

*Planning/Engineering Escrow Accounts

*Tax Collector

LIAISON REPORTS

Gary Hazard: Court/Police; RTMUA

There was no report given by Committee Member Hazard.

- Jeff Kuhl: Planning Board (Class I Member); Personnel; Finance; Historians; Open Space
(Mayor) Mayor Kuhl reported that Polytech students have started work on the schoolhouse and that Lowes will also be donating time and about \$2,000.00 in materials toward the renovations. Mayor Kuhl advised that the Planning Board meeting was cancelled.
- Michael Mangin: Board of Health; Finance; Public Works
(Deputy Mayor) Deputy Mayor Mangin advised that the Department of Public Works continues with leaf pickup.
- Louis Reiner: Agriculture Advisory Board; Fire/Rescue/OEM; Wildlife Management Advisory Committee
There was no report given by Committee Member Reiner.
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UNFINISHED BUSINESS

Open Space Tax – Mayor Kuhl recapped that at the last Township Committee meeting, Committee Member Gilbert suggested carrying discussion to a future scheduled meeting to obtain input from the Open Space Advisory Committee (OSAC) regarding the possibility of freezing the open space tax rate at 0.8 cents per \$100 of assessed value. Mayor Kuhl explained that he had presented data prepared by Chief Financial Officer, Bill Pandos, to the OSAC at its recent meeting concerning the implications of lowering the tax rate to 0.5 cents per \$100 of assessed value and freezing it at 0.8 cents. Mayor Kuhl advised there were no objections by the OSAC to retain the tax rate at 0.8 cents per \$100 of assessed value. It was the consensus of the Committee to proceed with an ordinance introduction at the December 3, 2019 meeting followed by adoption at the December 17, 2019 meeting freezing the open space tax rate at 0.8 cents per \$100 of assessed value.

NEW BUSINESS

Amending Ordinance #17-24 to include members of the Community Emergency Response Team – Mayor Kuhl explained that Chris Phelan, Office of Emergency Management Coordinator, has requested that members of the Community Emergency Response Team (CERT) be afforded the same waivers and discounts of other first responders in the Township. Mr. Hutchins added that there is no cost to the Township. It was the consensus to proceed with ordinance introduction at the second meeting in January 2020 followed by adoption at the first meeting in February 2020.

ORDINANCES (INTRODUCTION/FIRST READING)

Mayor Kuhl read by title Ordinance #19-32.

AN ORDINANCE ACCEPTING A SIGHT TRIANGLE EASEMENT AND DETENTION BASIN EASEMENT FOR BLOCK 66, LOT 1 AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN

Mayor Kuhl asked for a motion to introduce Ordinance #19-32 on first consideration.

Motion by Mangin, seconded by Reiner

ROLL CALL VOTE:

AYES: Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Gilbert

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for December 3, 2019.

Mayor Kuhl read by title Ordinance #19-33.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY REVISING SECTION 2.76.010 ENTITLED "ESTABLISHMENT" AND SECTION 2.76.010 ENTITLED "APPOINTMENT OF MEMBERS-VACANCIES-TERMS" OF CHAPTER 2.76 ENTITLED "BOARD OF HEALTH" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF RARITAN

Mayor Kuhl asked for a motion to introduce Ordinance #19-33 on first consideration.

Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

AYES: Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Gilbert

ORDINANCE INTRODUCED

Second reading and public hearing date scheduled for December 3, 2019.

ORDINANCES (PUBLIC HEARING/FINAL ADOPTION)

Mayor Kuhl read by title Ordinance #19-31.

AN ORDINANCE OF THE TOWNSHIP OF RARITAN, COUNTY OF HUNTERDON, STATE OF NEW JERSEY, AUTHORIZING THE ACQUISITION OF THAT PROPERTY KNOWN AS BLOCK 21, LOT 16, AS SHOWN ON THE TAX MAP OF THE TOWNSHIP OF RARITAN, FROM CARIANNE HOYLE AND APPROPRIATING THE NECESSARY FUNDS

Mayor Kuhl asked for a motion to open public hearing.

Motion by Mangin, seconded by Hazard

MOTION UNANIMOUSLY CARRIED

There were no members of the public in attendance.

Mayor Kuhl asked for a motion to close the public hearing and adopt Ordinance #19-31 on final consideration, same to be published according to law.

Motion by Mangin, seconded by Hazard

ROLL CALL VOTE:

AYES: Hazard, Mangin, Mayor Kuhl

NOES: Reiner

ABSTAIN: None

ABSENT: Gilbert

ORDINANCE ADOPTED

Ordinance advertised November 11, 2019 the Courier News. Posted on municipal bulletin board as required by 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 of November 6, 2019.
Motion by Reiner, seconded by Hazard

ROLL CALL VOTE:

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

Township Committee Executive Session Meeting Minutes

Mayor Kuhl asked for a motion to approve the Executive Session Meeting Minutes #1 and #2 of November 6, 2019.

Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

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

RESOLUTIONS

Mayor Kuhl read Resolution #19-269 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-269.

Motion by Mangin, seconded by Hazard

ROLL CALL VOTE:

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

RESOLUTION #19-269

A RESOLUTION AUTHORIZING 2019 BUDGET TRANSFER #1

WHEREAS, N.J.S.A. 40A:4-58 of the Local Budget Law provides for the transfer of funds from appropriations deemed to have an excess, to appropriations where sufficient balances are not available to fulfill the purpose of the appropriation to the end of the fiscal year, providing that no transfers may be made to appropriations for contingent expenses or deferred charges, and no

transfers may be made from appropriation for contingent expenses, deferred charges, cash deficit of the preceding year, reserve for uncollected taxes, down payments, capital improvements fund and debt service; and

WHEREAS, N.J.S.A. 40A:4-45a and 45.38 of the Budget Law restrict transfers from appropriations excluded from the Cap Law to appropriations within the Cap Law and also between appropriations excluded from the Cap Law except that transfers may be made to debt service;

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 transfers are authorized between appropriations in the 2019 budget and that a certified copy of this resolution adopted by **not less than a two-thirds (2/3) vote of the full membership of the governing body** be transmitted to the Administrator/CFO.

<u>Transfer From</u>	<u>Transfer To</u>	<u>Amount</u>
Streets & Roads S&W	Vehicle Maintenance OE	\$ 14,000.00
Streets & Roads S&W	Administration S&W	\$ 350.00
Streets & Roads S&W	Financial Administration S&W	\$ 500.00
Streets & Roads S&W	Construction Official S&W	\$ 1,500.00
Streets & Roads S&W	Fire Official S&W	\$ 3,700.00
Streets & Roads S&W	Fire Official OE	\$ 1,000.00
Streets & Roads S&W	Recycling Tax	\$ 350.00

Mayor Kuhl read Resolution #19-270 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-270.

Motion by Mangin, seconded by Hazard

ROLL CALL VOTE:

AYES: Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Gilbert

RESOLUTION #19-270

A RESOLUTION AUTHORIZING THE SUBMISSION OF A GRANT APPLICATION TO THE HUNTERDON COUNTY OFFICE OF ECONOMIC DEVELOPEMENT FOR ASSISTANCE IN REVIEWING RARITAN TOWNSHIP ZONING CODE

WHEREAS, the Mayor and the Township Committee desires to have an independent consultant review all Zoning rules and regulations to ensure that they reflect the current needs, provide clarity, efficiency, business and economic goals of the Township; and

WHEREAS, the Hunterdon County Office of Economic Development is offering an Economic Development Grant that requires the Township to cover 10% of the total cost of the Grant amount; and

WHEREAS, studies, consultants and relevant project materials are deemed consistent with the goals and objectives of the Hunterdon County Office of Economic Development; and

WHEREAS, the Mayor and the Township Committee wish to make application to the Hunterdon County Office of Economic Development for the Economic Development Grant.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey formally authorizes the following;

- 1) The solicitation of Requests for Proposals for Consultants for the review of Zoning Rules and Regulations by the Township Administrator and Zoning Officer.
- 2) That the Administrator may take all necessary actions needed to make submission of the Economic Development Grant to the Hunterdon County Office of Economic Development.

Mayor Kuhl read Resolution #19-271 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-271.

Motion by Hazard, seconded by Reiner

ROLL CALL VOTE:

AYES: Hazard, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Gilbert

RECUSE: Mangin

RESOLUTION #19-271

A RESOLUTION AUTHORIZING THE TOWNSHIP CLERK TO ADMINISTER AND EXECUTE AGREEMENTS FOR THE VOLUNTEER FIREFIGHTERS AND EMERGENCY MEDICAL VOLUNTEERS TUITION CREDIT PROGRAM

WHEREAS, the Township Committee of the Township of Raritan, County of Hunterdon, New Jersey, deems it appropriate to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Township of Raritan; and

WHEREAS, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government; and

WHEREAS, the Township Committee of the Township of Raritan approved the Volunteer Tuition Credit Program as set forth in P.L. 1998, c. 145 by Resolution #131, June 12, 2000; and

WHEREAS, authorization to administer and execute agreements pursuant to P.L. 1998, c. 145; was delegated to Dorothy Gooditis, Township Clerk; and

WHEREAS, Dorothy Gooditis is no longer employed by the Township of Raritan; and

WHEREAS, such authorization shall remain with the Township Clerk.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, that the Township Clerk is hereby

authorized to administer and execute agreements for the volunteer firefighters and emergency medical volunteers Tuition Credit Program.

Mayor Kuhl read Resolution #19-272 by title.

Mayor Kuhl asked for a motion to adopt Resolution #19-272.

Motion by Hazard, seconded by Mangin

ROLL CALL VOTE:

AYES: Hazard, Mangin, Reiner, Mayor Kuhl

NOES: None

ABSTAIN: None

ABSENT: Gilbert

RESOLUTION #19-272

**A RESOLUTION AUTHORIZING FUNDING AGREEMENT BETWEEN THE
TOWNSHIP OF RARITAN AND MAVRODE HOLDINGS, LLC**

WHEREAS, Mavrode Holdings, LLC (“Mavrode”), with an address of 40 Oakwood Avenue, Woodbridge N.J. 07095, is the developer of property identified as Block 84, Lot 34 as shown on the Tax Map of the Township of Raritan (the “Property”); and

WHEREAS, Mavrode wishes for the Township to authorize a study to determine whether the Property meets the requirements to be deemed “an area in need of redevelopment” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.*; and

WHEREAS, the Parties have determined to establish escrow funds with the Township to provide for the payment of reasonable fees to the Township’s professionals (including the Planning Board’s professionals), whether employees of the Township or consultants retained by the Township or the Planning Board, to pay any professional costs associated with the Township Professional Work.

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 foregoing recitals are incorporated herein as if set forth in full.
2. The Mayor and Township Clerk are hereby authorized to execute two (2) copies of the Funding Agreement in the form attached hereto as Exhibit “A” and made a part of this Resolution.
3. The Township Clerk is hereby directed to forward executed copies of the Funding Agreement to Mavrode’s counsel: Dilts & Koester, P.C., Attn: George Dilts, Esq., 167 Main Street, Flemington, N.J. 08822, together with a certified copy of this Resolution, with instructions that at least one (1) fully executed copy be returned to the Township Clerk, together with a check in the amount of fifteen thousand (\$15,000.00) dollars.

4. The Township's Chief Financial Officer is hereby directed to establish a separate escrow account to pay the Township professionals for work performed in connection with the redevelopment and rezoning of the Property as set forth in the Memorandum of Understanding executed by the parties.
5. This Resolution shall take effect immediately.

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.

There were no resolutions.

PRIVILEGE OF THE FLOOR

There were no members of the public in attendance.

ADJOURNMENT

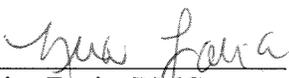
Mayor Kuhl asked for a motion to adjourn.

Motion by Mangin, seconded by Reiner

MOTION UNANIMOUSLY CARRIED

Meeting adjourned at 7:27 p.m.

Respectfully submitted,



Lisa Fania, RMC
Township Clerk