This Regular Meeting of the Borough of Raritan Governing Body was called to order by Mayor Charles McMullin in the Meeting Room of the Raritan Municipal Building, 22 First Street, Raritan, NJ 08869 at 6:30 p.m. on Tuesday, January 9, 2018.

The Mayor announced this Regular Meeting was called pursuant to applicable portions of the Open Public Meetings Act. Adequate Notice was communicated to The Courier News and The Star Ledger on January 2, 2018, posted on the bulletin board in the Municipal Building, on the Borough website and made available in the Office of the Borough Clerk.

ROLL CALL
Present: Mayor McMullin, Councilman Bray, Councilman Giraldi, Councilman McGinley, Councilman Orozco, Councilman Tozzi
Also Present: Borough Attorney Rizzo, Borough Administrator Jaxel, Borough Clerk Colvin
Absent: Councilman Carra
* Engineer Schrek entered at 7:23 p.m.

INVOCATION AND FLAG SALUTE
Council President Tozzi

EXECUTIVE SESSION
Resolution No. 2018-01-020

Executive Session:
1. Personnel
2. Contract Negotiations

On a motion by Councilman Bray, seconded by Council President Tozzi, Council moved to Approve Resolution No. 2018-01-020.

Recorded Vote
Yea: Bray, Giraldi, McGinley, Orozco, Tozzi
Nay: x
Abstain: x
Motion Carried: 5-0

Council convened in Executive Session at 6:32 p.m.

On a motion by Councilman Bray, seconded by Councilman McGinley, Council moved to Reconvene in Regular Session.

Recorded Vote
Yea: Bray, Giraldi, McGinley, Orozco, Tozzi
Nay: x
Abstain: x
Motion Carried: 5-0

Council exited Executive Session and resumed Regular Session at 7:01 p.m.

Mayor and Council welcomed the cheerleaders, parents and coaches of the Bridgewater-Raritan Pop Warner Cheerleading Varsity and Junior Pee Wee Teams into the Meeting Room.
After reading the names of each Junior Pee Wee coach and athlete, Mayor McMullin then called upon the coaches and athletes in attendance to come to the front of the room.

The Mayor read the following Proclamation:

Proclamation

HONORING BRIDGEWATER-RARITAN ATHLETIC CLUB - JUNIOR PEE WEE CHEERLEADING TEAM
2017 POP WARNER NATIONAL CHEER & DANCE CHAMPIONS

WHEREAS, Bridgewater-Raritan sent two competition cheerleading squads to the 2017 Pop Warner National Cheer & Dance Championships, the Varsity and Junior Pee Wee teams; where they were among more than 600 participating teams; and

WHEREAS, the Junior Pee Wee Team, consisting of 24, third through sixth-grade athletes, represented the Eastern Region, made up New Jersey, New York, Pennsylvania, Delaware, Maryland and Washington, D.C. teams; and

WHEREAS, this Junior Pee Wee Team became the first team in the history of Bridgewater-Raritan Athletic Club history to complete the season undefeated, with first place wins at the Local, State, Regional and National Levels; and

WHEREAS, after finishing in third place at Regions and not qualifying to compete at Nationals in 2016, this team returned to the ESPN Wide World Sports Complex in Kissimmee, Florida to claim the 2017 National Championship, and

NOW, THEREFORE, I, Charles McMullin, Mayor of the Borough of Raritan, do hereby honor the Junior Pee Wee Cheerleading Team for their outstanding season in 2017, which ended with a National Championship, and officially proclaim January 19, 2018 be known as Junior Pee Wee Cheer Day in the Borough of Raritan.

Mayor McMullin returned to the dais, where he read the names of each Varsity Team coach and athlete. The Mayor then called upon the Varsity coaches and athletes to come to the front of the room.

The Mayor read the following Proclamation:
Proclamation

HONORING BRIDGEWATER-RARITAN ATHLETIC CLUB – VARSITY CHEERLEADING TEAM
2017 POP WARNER NATIONAL CHEER & DANCE CHAMPIONS

WHEREAS, Bridgewater-Raritan sent two competition cheerleading squads to the 2017 Pop Warner National Cheer & Dance Championships, the Varsity and Junior Pee Wee teams; where they were among more than 600 participating teams; and

WHEREAS, the Varsity Team, consisting of 32, seventh and eighth-grade athletes, represented the Eastern Region, made up New Jersey, New York, Pennsylvania, Delaware, Maryland and Washington, D.C. teams; and

WHEREAS, after finishing in third place at the National Championships in 2016, this group of Varsity athletes dedicated themselves to the training and practice needed to again compete the following year; and

WHEREAS, in 2017, as a result of their hard work and discipline, the Varsity squad returned to the ESPN Wide World Sports Complex in Kissimmee, Florida and claimed the National Championship, and

WHEREAS, the Varsity team also earned the distinction of being named Grand Champion, for having recorded the highest score of the 5-day competition, across all divisions, by ‘hitting zero’ in a clean routine and displaying outstanding showmanship.

NOW, THEREFORE, I, Charles McMullin, Mayor of the Borough of Raritan, do hereby honor the Varsity Cheerleading Team for their tremendous accomplishment by winning the 2017 National Championship, and officially proclaim January 12, 2018 be recognized as Varsity Cheer Day in the Borough of Raritan.

Following the exit of the Cheerleading Teams, Mayor McMullin recognized two Boy Scouts in attendance who were there observe the process of government while working towards a badge.

Mayor McMullin announced there would be an extra Public Comment section during the meeting in order to accommodate anyone in attendance who wishes to speak, especially related to the Board of Health.

PUBLIC COMMENT
(In accordance with Section 29-1 of the Code of the Borough of Raritan, there shall be a five-minute limit per speaker)
Mayor McMullin opened the first Public Comment portion of the meeting for members of the public wishing to speak.

Seeing and hearing no one, the Mayor closed this Public Comment portion of the meeting.

**APPROVAL OF MINUTES**

1. December 19, 2017 – Executive Session
2. December 19, 2017 – Regular Session

On a motion by Councilman Giraldi, seconded by Councilman McGinley, Council moved to Approve the Minutes Listed Above.

**Recorded Vote**

Yea: Bray, Giraldi, McGinley
Nay: x
Abstain: Orozco, Tozzi
Motion Carried: 3-0

3. January 1, 2018 – Annual Reorganization
4. January 3, 2018 – Special Session

On a motion by Councilman Giraldi, seconded by Councilman McGinley, Council moved to Approve the Minutes Listed Above.

**Recorded Vote**

Yea: Bray, Giraldi, McGinley, Orozco, Tozzi
Nay: x
Abstain: x
Motion Carried: 5-0

**WORK SESSION**

1. **Annual Bicycle Race (CM)**

   Mayor McMullin welcomed Mike Malekoff, P.O. Box 313, Warren, Vermont 05674 and Dan LaMontain, 427 Foothill Road, Bridgewater 08836.

   The pair were involved with the Somerville, Bound Brook and Raritan bicycle race in 2017. Mr. Malekoff said he would again like to hold the bike race in 2018. There were more than 350 cyclists last year, he said, as part of the Tour of Somerville. Mr. Malekoff said there is a long history of the bike race and provided a handout to Mayor and Council. The race itself started in Somerville back in 1940, he said.

   Mr. Malekoff requested a partnership with the Borough. He and his group would provide the insurance, equipment, advertising and other needed pieces.

   Mr. LaMontain said they would like to have Raritan involved, especially because of John Basilone. The event will be happening on Memorial Day Weekend and increasing the honoring of the military is a goal, Mr. LaMontain said.

   Mr. Malekoff suggested the race may even start in Raritan this year and then head into and through Somerville.

   Mayor McMullin said he would like to see increased participation this year. Mr. Malekoff said that is a goal that would include bicycle safety, straight-line sprints for kids, and in other ways.
Councilman Orozco asked whether there are numbers on how many people participated last year.

Mr. Malekoff suggested the Recreation Department might have those numbers.

Councilman Orozco said there was a $5 charge per person so a count must be somewhere, adding the event costed the Borough $10,000.00 last year and many residents did not know the event was happening. He himself, the Councilman said, lives two blocks from the course and was unaware. Residents, he said, were unable to move their vehicles because of the race and they did not know beforehand. The Councilman asked whether the communication would improve this year and whether the Borough is again being asked for $10,000.00.

Mr. Malekoff said the communication would be addressed and, through a partnership with the Borough, he would like to talk with businesses for sponsorship, which could offset the cost.

Councilman Orozco cautioned that talks began in February last year and he did not feel the event was properly executed.

Mayor McMullin suggested to Mr. Malekoff that he begin talks with the Events Committee.

2. **Budget Request Meetings with Department Heads (DJ)**
   Administrator Jaxel advised Mayor and Council that Councilman Carra is available for a Budget Meeting on Wednesdays. As a result of various scheduling conflicts, the earliest possible Wednesday would be February 7, Administrator Jaxel said.

   A conversation began, with some crosstalk, which resulted in Mayor McMullin suggesting additional dates be discussed with Councilman Carra. Administrator Jaxel said he would re-explore the issue with Councilman Carra.

3. **Request from Shrine of the Blessed Sacrament for Fee Waiver (DJ)**
   Administrator Jaxel said Construction Official Gara said he is ok with waiving the fee associated with the Shrine’s roof reconstruction – if the Governing Body so wished. Mayor and Council agreed to waive the fees up to $800.00.

   On a motion by Council President Tozzi, seconded by Councilman McGinley, Council moved to Adopt Resolution No. 2018-023, which would waive the fees up to $800.00.

   **Recorded Vote**
   Yea: Bray, Giraldi, McGinley, Orozco, Tozzi
   Nay: x
   Abstain: x
   Motion Carried: 5-0

4. **Public Health Restructuring (CM)**
   Mayor McMullin said there was a meeting on January 3 at which time Council Introduced an Ordinance regarding the Board of Health. The Mayor said he asked Borough Clerk Colvin to invite Board of Health President Paula Machala and Secretary Constance DelRocco to the meeting.

   The Mayor said this process began in early 2016, when the previous Borough Clerk suggested restructuring the Board of Health to a Public Health Committee. The Mayor said he was newly elected at the time, but did address a perceived issued by not reappointing a member of the Board of Health who, he said, held two paid positions.

   The Mayor said financial issues came up in May 2017, when the Registrar requested to increase hours and increased pay for those hours. The Registrar is a stipend position, the Mayor said, which then means the hours worked are those that are necessary to conduct business.
The Mayor said Administrator Jaxel suggested an (alternate) deputy registrar could be appointed to assist with the office. Next, the Mayor said, the Governing Body voted a few months later to establish the hours of the Registrar, 11 a.m. to 3 p.m., Monday, Wednesday and Friday. The Mayor said the Registrar disagreed with the Governing Body’s decision to establish the hours. The Mayor said he then contacted the Borough’s Labor Attorney.

At the meeting of September 26, 2017, the Mayor said the Governing Body discussed the extended hours with the Registrar, as well as that she is paid a stipend to meet the needs of the office. Then, the Mayor said, he asked Councilman McGinley to meet with the Administrator and Clerk. Soon thereafter, the Mayor said, he received an analysis from Councilman Bray, from the Registrar, which discussed the loss of revenue as a result of the limited hours of the Registrar. The Mayor said it was estimated the Borough lost about $2,000.00 in 2016 and could expect to lose the same and up to $3,500.00 in 2017. The Mayor said it did not make financial sense to him to spend an additional $11,000 to recover up to $4,000.00.

As a result, the Mayor said, he came up with an alternate plan, which he presented:

<table>
<thead>
<tr>
<th>Registrar</th>
<th>2017 Hrs/week</th>
<th>$/hr 52wks</th>
<th>Workday</th>
<th>2018 Hrs/week</th>
<th>$/hr 52wks</th>
<th>Increase</th>
<th>Savings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current Approach</td>
<td>$11,885</td>
<td>20.5</td>
<td>$</td>
<td>21.77</td>
<td>$21,000</td>
<td>20</td>
<td>$21,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>10:30am - 2 pm</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proposed Approach</td>
<td>n/a</td>
<td></td>
<td>7.5 hr M, T, W, Th &amp; F</td>
<td>$7,000</td>
<td>35</td>
<td></td>
<td>$18,000</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>8:30am to 4:30pm</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal Review</td>
<td></td>
<td></td>
<td></td>
<td>$4,000</td>
<td>25hrs/yr</td>
<td># of ordinances in 2016 and 2017 and where located for public access?</td>
<td></td>
</tr>
<tr>
<td>Secretary</td>
<td></td>
<td></td>
<td></td>
<td>$1,240</td>
<td></td>
<td>agendas and minutes - where published?</td>
<td></td>
</tr>
</tbody>
</table>

The Mayor then stated all of the members of the Board of Health were appointed by him, with the consent of Council, because of their capabilities and knowledge in the area of Public Health, not in the area of financial services, adding the work of the Board has been exemplary. The Mayor said the Board is doing a great job and his intention is to restructure so they can do what they do best, especially because the Governing Body needs to be careful with the budget. The Mayor said the Governing Body has already restructured the Construction Department and is looking at all departments. The public is concerned about taxes, he said.

Last year, the Mayor said he spoke with former Borough Attorney Richard Wenner and recently with current the current attorney, Paul Rizzo, and he is unable to find the Ordinances of the Board of Health. Additionally, the Mayor said he asked the Borough Clerk how many Ordinances the Board of Health has passed in recent years and the answer was one in 2016 and one in 2017. Therefore, the Mayor said, he questions the $4,000.00 in the BOH budget for attorney fees.

The Mayor said he then asked the Borough Clerk in 2017 to get the minutes up to date on the website. At the present time, the Mayor said there are no BOH Minutes available after April 2017.

Councilman Bray said he sees May Minutes and the BOH does not meet in the summer. Registrar DelRocco said she has not provided all of the Minutes from 2017, but would do so when she gets to work the next day.

The Mayor said with respect to Public Health the Borough has an A+, but with respect to Administration and Finance, the Borough does not, which are the reasons he asked to have the Ordinance Introduced. The Mayor then said the BOH members are excellent and would like for all of them to stay on to serve the Borough on a Public Health Committee.
Lastly, the Mayor said this matter is being discussed now because it has been discussed since May 2017 with no conclusion. The Mayor said he invited the President and Secretary so they would understand there is nothing personal about this proposed change.

Councilman Bray said other towns have a system in place whereby the Governing Body is in charge of the Registrar and the BOH is also autonomous. He asked the Mayor if they could separate one and leave the other alone. The Mayor said everything is on the table.

Councilman Giraldi said he agrees there are issues in the administrative piece and questioned if a change were made how would that go. The Mayor said the stipend would be part of the new registrar and deputy registrar.

Councilman Orozco said he feels the people who are willing to serve and volunteer are a valuable resource in the community. The Councilman asked whether the administrative part could be fixed without disbanding the BOH.

Councilman Bray suggested a model similar to Somerville.

The Mayor said this is a way to restructure areas of expertise.

Administrator Jaxel said Somerville has a hospital which would affect the Registrar’s Office.

Councilman Giraldi said increasing by $11,000.00 in Raritan does not make sense to capture between $2,000.00 and $4,000.00.

**PUBLIC COMMENT**

*(In accordance with Section 29-1 of the Code of the Borough of Raritan, there shall be a five-minute limit per speaker)*

Mayor McMullin opened the second Public Comment portion of the meeting for members of the public wishing to speak.

Paula Machala, BOH President – Ms. Machala said she has been on the BOH for more than ten years. The previous health officer used to instruct the BOH about how to do the budget, she said. Since he retired, Ms. Machala said, she has not gotten much help from Borough Hall. Also, Ms. Machala said, the BOH was told to factor 20 hours into the budget for the Registrar this year, adding she was always uneasy about the budget because it is not her money, she did not have much guidance and the Governing Body controls the purse strings. If the Governing Body did not like the budget, she said, they could just reject the budget and ask to have it done again.

The Mayor said the Governing Body spent six months and got nowhere with regards to the Registrar because the Registrar reports to the BOH, not the Governing Body, adding neither he nor the Governing Body expected the BOH to be experts on the budget. He said he felt it was unfair to the BOH to have a financial responsibility with which they are uncomfortable.

Ms. Machala asked if the Registrar answers to the Borough or the BOH.

Attorney Rizzo said the Registrar answers to the BOH.

Marie Ciufo, BOH Member – Ms. Ciufo asked, if the BOH became a Committee, who would the Registrar report to.

Attorney Rizzo said the Council.

Constance DelRocco, Registrar of Vital Statistics – Ms. DelRocco said she felt she is being thrown under the bus, after having served as Registrar for many years without issue. Ms. DelRocco said she believed there was an issue with death certificates and the deputy registrar did not have time to do them, and that is where the alternate deputy registrar came in. Ms. DelRocco said she did not feel her office needed an alternate deputy registrar.
Ms. DelRocco said the BOH has been a good board, adding the Governing Body could reject the budget if they wished.

Councilman Giraldi said such a measure would not address structural issues, such as who the Registrar reports to. Registrar DelRocco asked why the Governing Body cannot just keep the BOH and change the reporting.

Mayor McMullin said the Governing Body can look into that, adding this issue started with the letter the Registrar sent in May 2017 requesting additional compensation to bring her to $21,000.00.

Registrar DelRocco said she asked for additional hours, adding as far as she knew, she was paid a salary, not a stipend for her position.

They Mayor said this is not a witch hunt or throwing anyone under the bus. Nothing changed since May, specifically the hours of the Registrar and the Borough was still missing between $2,000.00 and $4,000.00.

Ms. DelRocco said the funeral director, at a BOH meeting, said she is not sending her death certificates to the Borough and she was then asked how much money the Borough is losing as a result.

The Mayor said the Borough apparently needs five-day-a-week coverage to get the revenue and the current structure does not work.

Registrar DelRocco said there have never been hours for the Registrar, the funeral home used to call her and say they needed death certificate. Ms. DelRocco said she is the one who decided to have the hours she works on Monday, Wednesday and Friday.

Katherine Mastice, BOH Vice President – Ms. Mastice said the BOH increased the hours because they felt there was a need for the increase. There could also be hours posted on the door of the Registrar. Ms. Mastice asked what type of group the BOH would become, adding liaison Councilman Bray has been excellent.

Mayor McMullin said the process is to Introduce, have another meeting and then another meeting to vote to Adopt.

Ms. Mastice said she wants to remain a Board, which is something you are appointed to, whereas a committee is something you join. There is a certain sense of responsibility you feel by being appointed to serve on a Board, Ms. Mastice said.

Anna Louise Bongiovi, BOH Member and Funeral Home Owner – Ms. Bongiovi commended Registrar DelRocco for her ability to respond as needed to the needs of the funeral home, which receives calls 24/7. Ms. Bongiovi said she needs Registrar DelRocco immediately to get her the death certificates.

Ms. Bongiovi said every Registrar she knows is 9 a.m. to 5 p.m., except in Raritan. Ms. Bongiovi said the Borough Clerk has told her she cannot get her death certificates after 2 p.m. Borough Clerk Colvin responded that the 2 p.m. cutoff was established before he started with the Borough, adding he has never had a conversation with Ms. Bongiovi.

Ms. Bongiovi again expressed her concern that she is not able to get death certificates from the Borough as needed, adding she bring between $12,000.00 and $14,000.00 to the Borough each year in death certificates and needs Registrar DelRocco in the building.
Mayor McMullin said everyone is on the same page about getting Ms. Bongiovi more coverage. Ms. Bongiovi said the BOH has done a lot of good work for the Borough.

The Mayor agreed that the BOH does excellent work on health issues.

Ms. Bongiovi said Somerville’s Registrar is paid by their Council and suggested Raritan does the same.

Seeing and hearing no additional members of the Public, the Mayor closed this Public Comment portion of the meeting.

**CONSENT AGENDA**
Resolution No. 2018-01-021 Refunding Railroad Parking

On motion by Councilman McGinley, seconded by Councilman Giraldi, Council moved to Approve the Consent Agenda.

Recorded Vote:
Yea: Bray, Giraldi, McGinley, Orozco, Tozzi
Nay: x
Abstain: x
Motion Passed: 5-0

**BILL LIST**
None

**PURCHASE ORDER REQUESTS**
None

**OLD BUSINESS**
None

**COMMITTEE AND LIAISON REPORTS**
Councilman Bray – The Councilman read the month of December report from the Municipal Court.

Councilman Tozzi – The Councilman commended the Department of Public Works for their good work clearing the Borough of snow during the recent storm. The Councilman said St. Ann’s would like to hang a banner across Somerset Street for the school, which they do each year. All members informally agreed.

**PUBLIC COMMENT**
Mayor McMullin opened the third Public Comment portion of the meeting for members of the public wishing to speak.
Adele Goetsch, 6 Nevius Street – Ms. Goetsch said her grandchildren liked the beginning of the bike race, but the participation the rest of the time was lacking. While she likes the idea of a bike race, Ms. Goetsch asked the Governing Body to strongly think about having it again.

Seeing and hearing no additional members of the Public, the Mayor closed this Public Comment portion of the meeting.

**ADJOURNMENT**
On a motion by Councilman Bray, seconded by Councilman Giraldi, Council moved to Adjourn the Regular Meeting.

Recorded Vote
All in Favor

Regular Meeting adjourned at 8:44 p.m.

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Eric M. Colvin, RMC, CMR
Borough Clerk

Approved: ________________