

BOROUGH OF RARITAN

SPECIAL MEETING

FRIDAY, MARCH 13, 2026

6:30 P.M. – EXECUTIVE SESSION

7 P.M. – REGULAR SESSION

AGENDA

I. CALL TO ORDER

**II. STATEMENT OF COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT:
MAYOR DONALD TOZZI**

This Special Meeting of the Governing Body was called pursuant to applicable portions of the Open Public Meetings Act. Adequate Notice of this Special Meeting was posted in Borough Hall, on the Borough website and communicated to *The Courier News*, *The Star Ledger* and *The Breeze* on February 26, 2026.

III. ROLL CALL

Council President Fritzinger, Councilman Agrawal, Councilman DiGraziano, Councilman Giraldi, Councilman Harwood, Councilman Martinez

IV. INVOCATION AND FLAG SALUTE

Councilman Martinez

V. EXECUTIVE SESSION

Resolution No. 2026-03-050

Entering Executive Session

1. Personnel
Administration, Finance
2. Attorney Client
Affordable Housing

VI. PUBLIC COMMENT (AGENDA ITEMS ONLY)

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

VII. MINUTES

1. January 20, 2026 – Regular Meeting

VIII. COUNCIL COMMITTEE & LIAISON REPORTS

IX. OLD BUSINESS

None

X. NEW BUSINESS

1. Basilone Weekend (EC)
2. Raritan Headwaters Association – 36th Annual Stream Cleanup (EC)
3. Appointments to Historical & Cultural Committee (DT)
 - Fulvio Benato (1-year term)
 - Christine Benato (1-year term)
 - Adam Armahizer (1-year term)

XI. RESOLUTION

Resolution No. 2026-03-051

Approving Reasons Resolution

XII. ORDINANCES – SECOND READY & PUBLIC HEARING

Ordinance No. 2026-04

An Ordinance Amending the Land Use and Development Ordinance of the Borough of Raritan to address the requirements of the Fair Housing Act and the Uniform Housing Affordability Controls (UHAC) and the Affordable Housing Rules at N.J.A.C. 5:99 Regarding Compliance with the Borough's Affordable Housing Obligations

This ordinance updates the Borough's rules about development fees. These are fees paid by developers. The money collected goes into an Affordable Housing Trust Fund. This ordinance ensures the Borough follows state law and the Fair Housing Act, and is in compliance with the requirements.

Ordinance No. 2026-05

An Ordinance of the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, Adopting a Redevelopment Plan for an Area In Need Of Redevelopment known as Block 61, Lot 3.01 as shown on the tax map of the Borough of Raritan as a Non-Condensation Area In Need Of Redevelopment Under the New Jersey Local Redevelopment And Housing Law (N.J.S.A. 40a:12a-1 Et Seq.)

The purpose of this ordinance is to formalize a redevelopment plan for the former Agway.

Ordinance No. 2026-06

An Ordinance Amending Chapter 207 "Land Use and Development", Part 6 "Zoning", Article Xv "District Regulations" to include new Section 207-126.3 Entitled "Ah-2 Affordable Housing Overlay Zone"

The purpose of this ordinance is to establish a zoning overlay for the Busky Lane property. It would permit a developer to pursue townhome development that would include affordable housing.

Ordinance No. 2026-07

An Ordinance Amending Chapter 207 "Land Use And Development", Part 6 "Zoning",

Article Xv “District Regulations” To Include
New Section 207-126.3 Entitled “Ah-2
Affordable Housing Overlay Zone”

This ordinance establishes a zoning overlay
for a stretch of property along First Avenue
currently owned by Bespoke Realty, LLC.
The ordinance would permit a developer to
pursue a townhome development of up to 21
units, including affordable housing.

Ordinance No. 2026-08

An Ordinance Exceeding the CY2026
Municipal Budget Appropriation Limits and
Establishing a Cap Bank (N.J.S.A. 40A:4-
45.14)

The purpose of this annual Ordinance is to
permit the Borough to increase its 2026
appropriations up to 3.5 percent. The
creation of the cap bank gives the Borough
financial flexibility. Any unused funds can
be used within the next two budget cycles.

XIII. ORDINANCES – INTRODUCTION

None

XIV. CONSENT AGENDA

(Resolution No. 2026-03-052 through No.2026-03-062)

Resolution No. 2026-03-052

Resolution No. 2026-03-053

Resolution No. 2026-03-054

Resolution No. 2026-03-055

Resolution No. 2026-03-056

Resolution No. 2026-03-057

Resolution No. 2026-03-058

Resolution No. 2026-03-059

Resolution No. 2026-03-060

Resolution No. 2026-03-061

Resolution No. 2026-03-062

Approving Trash Reimbursement
Authorizing Appropriations to Cover Debt
Service Requirements for 2026
Authorizing Temporary Appropriation for
2026 Current Operating Municipal Budget
Clarifying Appointment of Risk
Management Consultant 2026
Renewing CGP&H Annual Contract 2026
Establishing 2026 Recreation Fees
Appointing Municipal Housing Liaison
Endorsing Amended Fair Share Plan
Adopting 2026 Home Improvement and
Affordability Assistance Program Policies &
Procedures
Adopting Affirmative Marketing Plan
Adopting Spending Plan

XV. BILLS LIST

Resolution No. 2026-03-063

Approving Bills List

XVI. CERTIFICATION OF FUNDS

1. Elite Emergency Lights, LLC — VEH Upfitting & Equipment — \$24,005.82.
2. Ford Motor Credit Company, LLC — 2026 Ford & Snowplow DPW — \$79,991.00.
3. Millennium Communications — Aud/Vis Install 9 West Somerset — \$152,588.21.
4. VIA, INC — 9 West Somerset Chairs & Seating — \$16,617.60.
5. Bridgewater Resources INC — December Dumping Fees — \$22,557.99
6. Bridgewater Resources INC — January Dumping Fees — \$16,274.17.
7. Van Cleef Engineering Associates — MS4 Watershed Phase 1 & Supplemental Development — \$21,724.00
8. Van Cleef Engineering Associates — NJAW Elmer & La Grange Observation — \$10,026.00
9. Van Cleef Engineering Associates — Sewer Calculator Revisions & Ordinance Development — \$22,000.00

XVII. 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)

XVIII. ADJOURNMENT

Next Special Meeting:

Tuesday, March 24, 2026

6:30 p.m. – Executive Session

7 p.m. – Regular Session

BOROUGH OF RARITAN
RESOLUTION 2026-03-050

ENTERING EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-7, et seq., commonly known as the Sunshine Law, requires Borough Council meetings be open to the public, except for the discussion of certain subjects; and

WHEREAS, the Sunshine Law also requires an Executive Session be authorized by Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, that the following portion of this meeting shall be closed to the public and the Regular Session shall resume after the conclusion of the Executive Session.

BE IT FURTHER RESOLVED that the subject(s) listed for discussion in Executive Session shall be Personnel and Attorney Client.

BE IT FURTHER RESOLVED that the public release of these Minutes will occur at a time the Borough Attorney determines the information can be disclosed.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT
		Agrawal				
		DiGraziano				
		Fritzinger				
		Giraldi				
		Harwood				
		Martinez				

BOROUGH OF RARITAN
RESOLUTION 2026-03-051

**“REASONS RESOLUTION” OF THE RARITAN BOROUGH COUNCIL
OVERTURNING THE DETERMINATION OF THE BOROUGH’S PLANNING
BOARD RELATIVE TO ITS MASTER PLAN CONSISTENCY
DETERMINATION IN ACCORDANCE WITH NJSA 40A:12A-7 (e).**

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 an “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 Borough Council of the Borough of Raritan (the “Borough Council”) by way of Resolution No. 2024-09-168, authorized and directed the Raritan Borough Planning Board (the “Board”) to conduct a preliminary investigation to determine whether the area identified as Block 61, Lot 3.01 (also known as the former Agway Site), as shown on the Tax Map of the Borough of Raritan consisting of approximately 1.02 acres of land (the “Study Area”), meets the criteria set forth in Section 5 of the LRHL and should be designated as an “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 LRHL requires that the Board, prior to conducting such public hearing, publish notice in a newspaper of general circulation in the Borough once each week for two consecutive weeks, with the last publication made not less than ten (10) days prior to such public hearing; and

WHEREAS, the LRHL further requires that such notice be mailed at least ten (10) days prior to such public hearing to the last owner(s) of the relevant properties in accordance with the Borough’s assessment records; and

WHEREAS, the Board held a public hearing (the “Public Hearing”) on March 26, 2025 to determine whether the Study Area is “an area in need of redevelopment” under the criteria set forth in Section 5 of the LRHL; and

WHEREAS, notice of the Public Hearing was provided in the official newspaper of the Borough on two consecutive weeks, the last being not less than ten (10) days before the Public Hearing; and

WHEREAS, at the Public Hearing, Joseph Brosnan, PP (“Brosnan”) of Van Cleef Engineering presented a report entitled "Preliminary Investigation: Block 61, Lot 3.01 (Former Agway Site) Area in Need of Redevelopment" last dated March 14, 2025 dated (the “Report”) concerning the determination of the Study Area as an “area in need of redevelopment”; and

WHEREAS, at the Public Hearing, the Board reviewed the Report, heard the testimony of Brosnan as well as members of the public who were given an opportunity to testify and to ask questions of the Board and of Brosnan; 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 March 26, 2025, adopted Resolution No. 2025-08 (the “Board Resolution”), determining that the Study Area should be designated as an “area in need of redevelopment”; and

WHEREAS, the Borough Council agreed with the recommendation of the Board that the Study Area be designated as an “area in need of redevelopment” pursuant to the LRHL, and by Resolution adopted on March 26, 2025 adopted Resolution No. 2026-08 recommended to the Borough Council that the Study Area be designated as a non-condemnation “area in need of Resolution”; and

WHEREAS, the Borough Council formally designated the Study Area as a “non-condemnation area in need of redevelopment” by Resolution No. 2025-04-065, adopted on April 15, 2025, and directed Brosnan to prepare a redevelopment plan of the Study Area (the “RDP”); and

WHEREAS, the RDP has gone through extensive review by the Borough’s redevelopment sub-committee, whereby several iterations of the Concept Plan for the Study Area were reviewed, with the final Concept Plan to be attached to the RDP to ultimately be introduced by the Borough Council; and

WHEREAS, the RDP for the Study Area was introduced on first reading by the Borough Council on February 17, 2026 by Ordinance 2026-05 (the “Agway Site RDP Ordinance”); and

WHEREAS, the Agway Site RDP Ordinance had attached to it as an exhibit the final Concept Plan showing all bulk requirements, including side-yard and rear-yard setbacks; and

WHEREAS, in accordance with the LRHL, the Agway Site RDP Ordinance was referred to the Board for a consistency review with the Borough’s Master Plan in accordance with NJSA 40A: 12A-7(e), to be considered at its meeting of March 9, 2026; and

WHEREAS, on March 9, 2026, the Board adopted Resolution No. 2026-04, adopting a formal Amendment to the 4th Round Housing Element and Fair Share Plan (the “HEFSP Amendment”), which HEFSP incorporated all sites included in the originally adopted Housing Element and Fair Share Plan, including the Study Area; and

WHEREAS, also on the same night, namely March 9, 2026, the Board considered that certain “2026 Reexamination Report and Master Plan Update” dated February 13, 2026 prepared by Brosnan, and immediately thereafter formally adopted Resolution No. 2026-05 approving same; and

WHEREAS, on the evening of March 9, 2026, the Agway Site RDP Ordinance was reviewed by the Board for a Master Plan consistency review in accordance with Section 7(e) of the LRHL and by Resolution No. 2026-10, found to be not inconsistent with the Master Plan but qualified by determining that the Agway Site RDP Ordinance be “amended to reflect an increase from ten (10) feet to twenty (20) feet in the required side-yard and rear-yard setbacks”; and

WHEREAS, the Borough Council finds and concludes that the qualification made by the Board to the Agway Site RDP Ordinance regarding side-yard and rear-yard setbacks is tantamount to a determination of inconsistency with the Borough’s Master Plan; and

WHEREAS, the Borough Council finds and concludes that the qualification made by the Board to the Agway Site RDP Ordinance regarding side-yard and rear-yard setbacks is not consistent with the actions taken by the Redevelopment sub-committee, of which one or more members of the Board actively participated in the approval of the final Concept Plan attached as an exhibit thereto; and

WHEREAS, the Borough Council finds and concludes that the side-yard and rear-yard setbacks as shown on the final Concept Plan attached to the Agway Site RDP Ordinance are adequate and appropriate and advance sound planning concepts; and

WHEREAS, the Borough Council finds and concludes that the Study Area can readily and appropriately accommodate the side-yard and rear-yard setbacks as shown on the final Concept Plan attached to the Agway Site RDP Ordinance; and

WHEREAS, the Borough Council finds and concludes that the Agway Site RDP Ordinance, with the side-yard and rear yard setbacks as detailed therein, is consistent with the goals and objectives of the Borough's current Master Plan; and

WHEREAS, the Borough Council, when considering the adoption of a redevelopment plan or revision or amendment thereof, shall review the report of the Board and may approve or disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following the recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan, in the County of Somerset, State of New Jersey, by the vote of a majority of its full authorized membership finds and declares that this Resolution shall constitute the Borough Council’s “reasons resolution” for disapproving the recommendation of the Board, and that this Resolution be recorded in its minutes the reasons for not following the recommendation of the Board; and

BE IT FURTHER RESOLVED, that upon adoption of this “reasons resolution”, the Borough Council may adopt Ordinance No. 2026-05, with such ordinance having full legal force and effect as an adopted ordinance of the Borough of Raritan.

ATTEST:

 Kimberly Mathewson
 Acting Borough Clerk

 Don Tozzi
 Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

 Kimberly Mathewson
 Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT
		Agrawal				
		DiGraziano				
		Fritzinger				
		Giraldi				
		Harwood				
		Martinez				

BOROUGH OF RARITAN
ORDINANCE NO. 2026-04

AN ORDINANCE AMENDING THE LAND USE AND DEVELOPMENT ORDINANCE OF THE BOROUGH OF RARITAN TO ADDRESS THE REQUIREMENTS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS (UHAC) AND THE AFFORDABLE HOUSING RULES AT N.J.A.C. 5:99 REGARDING COMPLIANCE WITH THE BOROUGH'S AFFORDABLE HOUSING OBLIGATIONS

BE IT ORDAINED by Mayor and Council of the Borough of Raritan, Somerset County, New Jersey, that the Code of the Borough of Raritan is hereby amended to include provisions addressing the collection of development fees and the Borough's Affordable Housing Trust Fund. This Ordinance shall apply except where inconsistent with applicable law.

The Raritan Borough Planning Board will adopt an amended Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Housing Element and Fair Share Plan will be endorsed by the Mayor and Council. This ordinance addresses the requirements of a mediation agreement reached between the Borough of Raritan and Fair Share Housing Center relative to the Borough's Fourth Round Obligation for the period of July 1, 2025 to June 30, 2035, more specifically to ensure the Borough's development fee ordinance complies with the recently effective Affordable Housing Rules at N.J.A.C. 5:99.

The Land Use and Development Ordinance of the Borough of Raritan, Part 6, Article XX, Development Fees, is hereby repealed and replaced as follows, to be titled "Development Fees":

§ 207-139 Affordable Housing Requirements

A. Purpose

- (1) This section establishes standards for the collection, maintenance, and expenditure of development fees that are consistent with the amended Fair Housing Act (P.L.2024, c.2), N.J.A.C. 5:99, and the Statewide Non-Residential Development Fee Act (C. 40:55D-8.1 through 8.7). Fees collected pursuant to this Ordinance shall be used for the sole purpose of providing very low-, low- and moderate-income housing in accordance with a Court-approved Spending Plan.
- (2) Basic Requirements
 - (a) The municipality previously adopted a development fee ordinance, which established the Municipal Affordable Housing Trust Fund.
 - (b) The municipality shall not spend development fees until the court has approved a plan for spending such fees.
- (3) Residential Development Fees
 - (a) Imposed fees

[1] Residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1.5% of the equalized assessed value for residential development, provided no increased density is permitted. Development fees shall also be imposed and collected when an additional dwelling unit is added to an existing residential structure; in such cases, the fee shall be calculated based on the increase in the equalized assessed value of the property due to the additional dwelling unit.

[2] When an increase in residential density is permitted pursuant to a “d” variance granted under N.J.S.A. 40:55D-70d(5), developers shall be required to pay a “bonus” development fee of 6.0% of the equalized assessed value for each additional unit that may be realized, except that this provision shall not be applicable to a development that will include affordable housing. If the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example: If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1.5% of the equalized assessed value on the first two units; and the specified higher percentage of 6% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

(b) Eligible exactions, ineligible exactions and exemptions for residential development

[1] Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made an eligible payment in lieu of on-site construction of affordable units, if permitted by ordinance, or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2, shall be exempt from development fees.

[2] Developments that have received preliminary or final site plan approval prior to the adoption of this ordinance and any preceding ordinance permitting the collection of development fees shall be exempt from the payment of development fees, unless the developer seeks a substantial change in the original approval. Where a site plan approval does not apply, the issuance of a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for the purpose of determining the right to an exemption. In all cases, the applicable fee percentage shall be determined based upon the development fee ordinance in effect on the date that the construction permit is issued.

[3] No development fee shall be collected for the demolition and replacement of a residential building resulting from a fire or natural disaster.

(4) Non-Residential Development Fees

(a) Imposition of fees

- [1] Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements, for all new non-residential construction on an unimproved lot or lots.
- [2] Within all zoning districts, non-residential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for non-residential purposes.
- [3] Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the pre-existing land and improvements and the equalized assessed value of the newly improved structure; i.e., land and improvements; and such calculation shall be made at the time a final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the non-residential development fee shall be zero.

(b) Eligible exactions, ineligible exactions and exemptions for non-residential development

- [1] The non-residential portion of a mixed-use inclusionary or market-rate development shall be subject to a 2.5% development fee, unless otherwise exempted below.
- [2] The 2.5% fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.

(c) Non-residential developments shall be exempt from the payment of non-residential development fees in accordance with the exemptions required pursuant to the Statewide Non-Residential Development Fee Act (N.J.S.A. 40:55D-8.1 through 8.7), as specified in Form N-RDF "State of New Jersey Non-Residential Development Certification/Exemption." Any exemption claimed by a developer shall be substantiated by that developer.

(d) A developer of a non-residential development exempted from the non-residential development fee pursuant to the Statewide Non-Residential Development Fee Act shall be subject to the fee at such time as the basis for the exemption no longer applies, and shall make the payment of the non-residential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the non-residential development, whichever is later.

(e) If a property that was exempted from the collection of a non-residential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid non-residential development fees under these circumstances may be enforceable by the municipality as a lien against the real property of the owner.

(5) Collection Procedures

- (a) Upon the granting of a preliminary, final or other applicable approval for a development, the applicable approving authority shall direct its staff to notify the construction official responsible for the issuance of a building permit.
- (b) For non-residential developments only, the developer shall also be provided with a copy of Form N-RDF, "State of New Jersey Non-Residential Development Certification/Exemption," to be completed by the developer as per the instructions provided in the Form N-RDF. The construction official shall verify the information submitted by the non-residential developer as per the instructions provided on Form N-RDF. The tax assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.
- (c) The construction official responsible for the issuance of a building permit shall notify the tax assessor of the issuance of the first construction permit for a development that is subject to a development fee.
- (d) Within 90 days of receipt of that notice, the tax assessor shall provide an estimate, based on the plans filed, of the equalized assessed value of the development.
- (e) The construction official responsible for the issuance of a final certificate of occupancy shall notify the tax assessor of any and all requests for the scheduling of a final inspection on property that is subject to a development fee.
- (f) Within 10 business days of a request for the scheduling of a final inspection, the tax assessor shall confirm or modify the previously estimated equalized assessed value of the improvements associated with the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- (g) Should the municipality fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b. of section 37 of P.L.2008, c.46 (N.J.S.A. 40:55D-8.6).
- (h) Fifty percent (50%) of the development fee shall be collected at the time of issuance of the construction permit. The remaining portion shall be collected at the time of issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at the time of issuance of the construction permit and that determined at the time of issuance of certificate of occupancy.

(6) Appeal of development fees

- (a) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by that board, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the board may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

- (b) A developer may challenge non-residential development fees imposed by filing a challenge with the director of the Division of Taxation. Pending a review and determination by the director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the municipality. Appeals from a determination of the director may be made to the Tax Court in accordance with the provisions of the State Tax Uniform Procedure Law, R.S. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

(7) Affordable Housing Trust Fund

- (a) A separate, interest-bearing Municipal Affordable Housing Trust Fund shall be maintained by the chief financial officer of the municipality for the purpose of depositing development fees collected from residential and non-residential developers and proceeds from the sale of units with extinguished controls.
- (b) The following additional funds shall be deposited in the Municipal Affordable Housing Trust Fund and shall at all times be identifiable by source and amount:
 - [1] Payments in lieu of on-site construction of an affordable unit, where previously permitted by ordinance or by agreement with the municipality and if approved by a municipality prior to the statutory elimination of payments in-lieu on March 20, 2024 per P.L.2024, c.2;
 - [2] Funds contributed by developers to make 10% of the adaptable entrances in a townhouse or other multistory attached dwelling unit development accessible;
 - [3] Rental income from municipally operated units;
 - [4] Repayments from affordable housing program loans;
 - [5] Recapture funds;
 - [6] Proceeds from the sale of affordable units; and
 - [7] Any other funds collected in connection with the municipal affordable housing program including but not limited to interest earned on fund deposits.
- (c) The municipality shall provide the Division with written authorization, in the form of a tri-party escrow agreement(s) between the municipality, the Division and the financial institution in which the municipal affordable housing trust fund has been established to permit the Division to direct the disbursement of the funds as provided for in N.J.A.C. 5:99-2.1 et seq.
- (d) Occurrence of any of the following deficiencies may result in the Division requiring the forfeiture of all or a portion of the funds in the municipal Affordable Housing Trust Fund:
 - [1] Failure to meet deadlines for information required by the Division in its review of a development fee ordinance;
 - [2] Failure to commit or expend development fees within four years of the date of collection in accordance with N.J.A.C. 5:99-5.5;

- [3] Failure to comply with the requirements of the Non-Residential Development Fee Act and N.J.A.C. 5:99-3;
 - [4] Failure to submit accurate monitoring reports pursuant to this subchapter within the time limits imposed by the Act, this chapter, and/or the Division;
 - [5] Expenditure of funds on activities not approved by the Superior Court or otherwise permitted by law;
 - [6] Revocation of compliance certification or a judgment of compliance and repose;
 - [7] Failure of a municipal housing liaison or administrative agent to comply with the requirements set forth at N.J.A.C. 5:99-6, 7, and 8;
 - [8] Other good cause demonstrating that municipal affordable housing funds are not being used for an approved purpose.
- (e) All interest accrued in the housing trust fund shall only be used on eligible affordable housing purposes approved by the Court.
- (8) Use of Funds
- (a) The expenditure of all funds shall conform to a Spending Plan approved by Superior Court. Funds deposited in the municipal Affordable Housing Trust Fund may be used for any activity approved by the Court to address the fair share obligation and may be set up as a grant or revolving loan program. Such activities include, but are not limited to: preservation or purchase of housing for the purpose of maintaining or implementing affordability controls; housing rehabilitation; new construction of affordable housing units and related costs; accessory apartments; a market-to-affordable program; conversion of existing non-residential buildings to create new affordable units; green building strategies designed to be cost-saving and in accordance with accepted national or state standards; purchase of land for affordable housing; improvement of land to be used for affordable housing; extensions or improvements of roads and infrastructure to affordable housing sites; financial assistance designed to increase affordability; administration necessary for implementation of the Housing Element and Fair Share Plan; and/or any other activity permitted by Superior Court and specified in the approved Spending Plan.
 - (b) Funds shall not be expended to reimburse the municipality or activities that occurred prior to the authorization of a municipality to collect development fees.
 - (c) At least a portion of all development fees collected and interest earned shall be used to provide affordability assistance to very low-, low- and moderate-income households in affordable units included in the municipal Fair Share Plan. A portion of the development fees which provide affordability assistance shall be used to provide affordability assistance to very low-income households.
- [1] Affordability assistance programs may include down payment assistance, security deposit assistance, low-interest loans, rental assistance, assistance with homeowners association or condominium fees and special assessments, infrastructure assistance, and assistance with emergency repairs. The specific programs to be used for affordability assistance shall be identified and described within the Spending Plan.

[2] Affordability assistance for very low income households may include producing very low-income units or buying down the cost of low- or moderate-income units in the municipal Fair Share Plan to make them affordable to households earning 30% or less of median income.

- (d) No more than 20% of all affordable housing trust funds, exclusive of those collected to fund an RCA prior to July 17, 2008, shall be expended on administration, including, but not limited to, salaries and benefits for municipal employees or consultants' fees necessary to develop or implement a new construction program, prepare and implement a Housing Element and Fair Share Plan, administer an Affirmative Marketing Program and for compliance with the Superior Court and the Program including the costs to the municipality of resolving a challenge.

(9) Monitoring

- (a) On or before February 15 of each year, the municipality shall provide annual electronic data reporting of trust fund activity for the previous year from January 1st to December 31st through the AHMS Reporting System. This reporting shall include an accounting of all Municipal Affordable Housing Trust Fund activity, including the sources and amounts of all funds collected and the amounts and purposes for which any funds have been expended. Such reporting shall include an accounting of development fees collected from residential and non-residential developers, previously eligible payments in lieu of constructing affordable units on site (if permitted by ordinance or by agreement with the municipality prior to the March 20, 2024 statutory elimination per P.L. 2024, c.4), funds from the sale of units with extinguished controls, barrier-free escrow funds, rental income from municipally-owned affordable housing units, repayments from affordable housing program loans, interest and any other funds collected in connection with municipal housing programs, as well as an accounting of the expenditures of revenues and implementation of the Spending Plan approved by the Court.

(10) Ongoing Collection of Fees

- (a) The ability to impose, collect and expend development fees shall continue so long as the municipality retains authorization from the Court in the form of Compliance Certification or the good faith effort to obtain it.
- (b) If the municipality fails to renew its ability to impose and collect development fees prior to the expiration of its Judgment of Compliance, it may be subject to forfeiture of any or all funds remaining within its Affordable Housing Trust Fund. Any funds so forfeited shall be deposited into the New Jersey Affordable Housing Trust Fund established pursuant to section 20 of P.L.1985, c.222 (C. 52:27D-320).

- (11) Emergent Affordable Housing Opportunities. Requests to expend affordable housing trust funds on emergent affordable housing opportunities not included in the municipal fair share plan shall be made to the Division and shall be in the form of a governing body resolution. Any request shall be consistent with N.J.A.C. 5:99-4.1.

REPEALER

All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

EFFECTIVE DATE

This Ordinance shall take effect upon passage and publication as provided by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was finally Adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, following a Second Reading and Public Hearing that took place in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026, at 7 p.m. This Ordinance shall take effect upon proper publication, as required by law.

ADOPTION:

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
		Agrawal					
		DiGraziano					
		Fritzinger					
		Giraldi					
		Harwood					
		Martinez					

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Ordinance was Introduced by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, at a Regular Meeting held in Borough Hall, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

BOROUGH OF RARITAN
ORDINANCE NO. 2026-05

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF RARITAN, COUNTY OF SOMERSET, STATE OF NEW JERSEY, ADOPTING A REDEVELOPMENT PLAN FOR AN AREA IN NEED OF REDEVELOPMENT KNOWN AS BLOCK 61, LOT 3.01 AS SHOWN ON THE TAX MAP OF THE BOROUGH 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.)

WHEREAS, pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LRHL”), in accordance with a report prepared by Joseph Brosnan, PE/PP of Van Cleef Engineering, concerning the determination of the study area identified as Block 61, Lot 3.01, as shown on the Tax Map of the Borough of Raritan (the “Study Area” or the “Property”), the Borough Council of the Borough of Raritan (the “Borough Council”) adopted Resolution No. 2025-04-066 on April 15, 2025 (the “Designation Resolution”); and

WHEREAS, by the same Designation Resolution, the Borough Council directed Joseph Brosnan, PE/PP, of Van Cleef Engineering to cause a redevelopment plan to be prepared for the Study Area and to present a draft of same to the Borough Council for its review and possible adoption pursuant Section 7 of the LRHL; and

WHEREAS, the Redevelopment Plan prepared by Joseph Brosnan, PP of Van Cleef Engineering is entitled “Raritan Borough, Block 61, Lot 3.01 (Former Agway Site) Redevelopment Plan”, dated January 16, 2026 (the “Redevelopment Plan”); and

WHEREAS, the Borough Council has reviewed and carefully considered the Redevelopment Plan and has found it to be satisfactory and now desires to adopt this Ordinance formally adopting the aforesaid Redevelopment Plan; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Raritan, County of Somerset and State of New Jersey, as follows:

Section 1. The Redevelopment Plan, a copy of which is annexed hereto and made a part of this Ordinance, is adopted in accordance with N.J.S.A. 40A:12A-7 of the Local Redevelopment and Housing Law.

Section 2. This Ordinance constitutes an amendment to the zoning district map included in the Borough’s zoning ordinance.

Section 3. A copy of this Ordinance and the Redevelopment Plan be forwarded, after introduction, to the Planning Board for a Master Plan consistency review in accordance with N.J.S.A. 40A:12A-7e.

Section 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged 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 Somerset County Planning Board in accordance with the Municipal Land Use Law; and (ii) adoption and publication in the manner required by New Jersey law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was finally Adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, following a Second Reading and Public Hearing that took place in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026, at 7 p.m. This Ordinance shall take effect upon proper publication, as required by law.

ADOPTION:

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
		Agrawal					
		DiGraziano					
		Fritzinger					
		Giraldi					
		Harwood					
		Martinez					

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Ordinance was Introduced by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, at a Regular Meeting held in Borough Hall, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

BOROUGH OF RARITAN
ORDINANCE NO. 2026-06

AN ORDINANCE AMENDING CHAPTER 207 “LAND USE AND DEVELOPMENT”, PART 6 “ZONING”, ARTICLE XV “DISTRICT REGULATIONS” TO INCLUDE NEW SECTION 207-126.3 ENTITLED “AH-2 AFFORDABLE HOUSING OVERLAY ZONE”

WHEREAS, the Borough, as part of its fourth round Housing Element and Fair Share Plan, has identified property appropriate for rezoning to provide the opportunity for the construction of new townhouse dwellings, including a setaside of units affordable to low and moderate income households; and

WHEREAS, the Mayor and Council have endorsed the fourth round plan adopted by the Planning Board and is desirous of implementing the mechanism identified in that fourth round, which requires rezoning of the property with an overlay to permit a development option that helps meet the Borough’s Unmet Need.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Raritan, in the County of Somerset and State of New Jersey as follows:

Section I. The following section shall be added to the Code, to read as follows:

Section 207-126.35 “AH-2 Affordable Housing Overlay Zone”

A. An Affordable Housing Overlay Zone (AH-2) is hereby created for Block 116.01, Lot 26. The AH-2 Zone will permit the option for new inclusionary attached townhouses not to exceed a total of 30 units requiring an affordable housing set-aside of 20% of the total number of units constructed.

B. Permitted uses. Permitted principal uses shall be:

(1) Townhouses.

C. Permitted accessory uses and structures. Permitted accessory uses and structures shall be as follows:

(1) Private garages and off-street parking facilities.

(2) Customary accessory uses and structures approved as part of the site plan for the development, including refuse enclosures, fences, walls, lampposts, trellises and other similar structures.

(3) Private swimming pools, clubhouses, tennis courts and other recreational facilities for resident use.

(4) Signs.

(5) Detention basins and pump stations.

(6) Storage and maintenance buildings.

(7) Patio areas.

(8) Electric vehicle charging infrastructure and electric vehicle charging stations.

(9) Solar panels mounted to the roof of a townhouse.

D. Permitted conditional uses. Permitted conditional uses shall be as follows:

(1) Home occupations.

(2) Public utility facilities.

E. Density. The total number of units on the site shall not exceed thirty (30). The site shall

be developed pursuant to the requirements of Articles XVII and XVIII.

F. Bulk requirements.

(1) There shall be the following minimum distances between buildings:

Part of Building	Minimum Distance (feet)
Windowless wall to windowless wall	20
Window wall to windowless wall	25
Window wall to window wall:	
Front to front	50
Rear to rear	50
End to end or end to rear	30
Any building face to collector street curb	30
Any front or rear building face to noncollector curb face or edge of pavement	20
Any side building face to any noncollector street curb	10
Any building face to common parking area, except garage	10
Garage face to common parking area	5

(2) Coverage. The maximum coverage by buildings shall not exceed 50%. The maximum coverage by all impervious surfaces, including buildings and public and private roads, shall not exceed 75%.

(3) Yard and buffer areas. No building, deck, patio or part thereof, driveway or parking area shall be located within 5 feet of any property boundary line.

(4) Building height. No building shall contain more than three stories, nor shall any building exceed 40 feet in height.

G. Design standards for townhouses.

(1) No building or group of attached buildings shall contain more than 8 individual townhouse units.

(2) Townhouses shall have a minimum width of 18 feet per unit and shall have an offset of two feet between every two units.

(3) No room within a dwelling unit intended for human habitation shall be located in a cellar, basement or attic, except that a cellar or basement in a townhouse dwelling unit may contain a family room or recreation room.

(5) Townhouses should be consistent in terms of architectural style and major design elements such as materials, windows, rooflines, roof designs, etc.

(6) Accessory buildings shall meet the property line setbacks of the principal buildings.

(7) Accessory buildings may have a maximum height of 16 feet, except that recreational buildings and facilities shall be governed by the height limitations for principal buildings.

(8) Garages may be built into the principal structure or separately constructed to the following standards:

(a) Each garage space shall be at least 10 feet in width and 20 feet in depth.

(b) Each group of attached garages shall have a joint capacity of not more than 12 automobiles arranged in a row, and there shall be a minimum

distance of 10 feet end to end between structures.

(9) Exterior television antennas or satellite dishes are prohibited.

H. Affordable housing requirements.

(1) All developments are required to set aside at least 20% of the units proposed and deed restrict them for occupancy by low and moderate income households.

(2) Affordable housing units shall comply with Affordable Housing Requirements as outlined in §207-139 of the Borough Code, the amended Fair Housing Act (“FHA”) at N.J.S.A. 52:27D-301 et seq. and the statutorily upheld existing regulations of the now-defunct Council on Affordable Housing (“COAH”) at N.J.A.C. 5:93 and 5:97.

(3) The developer shall be responsible for the administration and affirmative marketing of the affordable housing units in accordance with the Borough’s Affordable Housing Requirements. The developer shall cooperate with the Municipal Housing Liaison to provide any and all documentation required for the Borough to comply with reporting requirements.

Section II. Severability

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Raritan declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section III. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was finally Adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, following a Second Reading and Public Hearing that took place in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026, at 7 p.m. This Ordinance shall take effect upon proper publication, as required by law.

ADOPTION:

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
		Agrawal					
		DiGraziano					
		Fritzinger					
		Giraldi					
		Harwood					
		Martinez					

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Ordinance was Introduced by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, at a Regular Meeting held in Borough Hall, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

BOROUGH OF RARITAN
ORDINANCE NO. 2026-07

AN ORDINANCE AMENDING CHAPTER 207 “LAND USE AND DEVELOPMENT”, PART 6 “ZONING”, ARTICLE XV “DISTRICT REGULATIONS” TO INCLUDE NEW SECTION 207-126.3 ENTITLED “AH-2 AFFORDABLE HOUSING OVERLAY ZONE”

WHEREAS, the Borough, as part of its fourth round Housing Element and Fair Share Plan, has identified property appropriate for rezoning to provide the opportunity for the construction of new townhouse dwellings, including a setaside of units affordable to low and moderate income households; and

WHEREAS, the Mayor and Council have endorsed the fourth round plan adopted by the Planning Board and is desirous of implementing the mechanism identified in that fourth round, which requires rezoning of the property with an overlay to permit a development option that helps meet the Borough’s Unmet Need.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Raritan, in the County of Somerset and State of New Jersey as follows:

Section I. The following section shall be added to the Code, to read as follows:

Section 207-126.4 “AH-3 Affordable Housing Overlay Zone”

A. An Affordable Housing Overlay Zone (AH-3) is hereby created for Block 80, Lots 17-20, 20.01 and 20.02. The AH-3 Zone will permit the option for new inclusionary townhouse dwellings not to exceed a total of 21 units requiring an affordable housing set-aside of 20% of the total number of units constructed.

B. Permitted uses. Permitted principal uses shall be:

(1) Townhouses.

C. Permitted accessory uses and structures. Permitted accessory uses and structures shall be as follows:

(1) Private garages and off-street parking facilities, including parking on the ground floor underneath a building.

(2) Customary accessory uses and structures approved as part of the site plan for the development, including utility structures, refuse enclosures, fences, walls, lampposts, trellises and other similar structures.

(3) Private swimming pools, clubhouses, tennis courts and other recreational facilities for resident use.

(4) Signs.

(5) Stormwater management facilities.

(6) Storage and maintenance buildings.

(7) Patio areas.

(8) Electric vehicle charging infrastructure and electric vehicle charging stations.

(9) Solar panels mounted to the roof of a townhouse.

D. Permitted conditional uses. Permitted conditional uses shall be as follows:

- (1) Home occupations.
- (2) Public utility facilities.

E. Density. The total number of units on the site shall not exceed twenty-one (21). The site shall be developed pursuant to the requirements of Articles **XVII** and **XVIII**.

F. Bulk requirements.

- (1) There shall be the following minimum distances between buildings:

Part of Building	Minimum Distance (feet)
Windowless wall to windowless wall	30
Window wall to windowless wall	30
Window wall to window wall:	
Front to front	50
Rear to rear	50
End to end or end to rear	30

(2) Required yards. A front yard setback of 10' shall be provided to First Avenue and a front yard setback of 15' shall be provided to Burns Street. The side or rear setback for the portion of the tract parallel to First Avenue on the west side shall be 20' and the side or rear setback for the portion of the tract parallel to Burns Street on the north side shall be 25'.

(3) Coverage. The maximum coverage by buildings shall not exceed 65%. The maximum coverage by all impervious surfaces, including buildings and public and private roads, shall not exceed 70%.

(4) Yard and buffer areas. All required yard areas shall be suitably landscaped and include a mixture of lawn areas, planting beds, evergreen and deciduous trees, shrubs and perennials. At least the first 10' of required yard areas that directly abut existing residential uses shall include evergreen trees at least 8' tall at time of planting to provide screening to adjacent uses.

(5) Building height. No building shall contain more than three stories, nor shall any building exceed 40 feet in height.

(6) Required parking. Parking shall be provided in accordance with the New Jersey Residential Site Improvement Standards. An adequate number of spaces accessible to handicapped individuals shall be included based on the total number of parking spaces provided and shall count towards the total number of parking spaces required.

G. Design standards for townhouses.

- (1) Townhouses should be consistent in terms of architectural style and major design elements such as materials, windows, rooflines, roof designs, etc.
- (2) Accessory buildings shall meet the setbacks required for principal buildings.
- (3) Exterior television antennas or satellite dishes are prohibited.

H. Affordable housing requirements.

(1) All developments are required to set aside at least 20% of the units proposed and deed restrict them for occupancy by low and moderate income households. Where calculation of the required affordable housing set aside results in a fractional unit of 0.49 or less, a payment-in-lieu of providing the affordable unit may be

provided; any fractional unit of 0.5 or more shall be rounded up to the next whole number. Determination of the amount of the payment-in-lieu shall be by multiplying the resulting fractional unit that is less than 0.49 by \$340,000, which represents the cost to construct an affordable housing unit within the region.

(2) Affordable housing units shall comply with Affordable Housing Requirements as outlined in §207-139 of the Borough Code, the amended Fair Housing Act (“FHA”) at N.J.S.A. 52:27D-301 et seq. and the statutorily upheld existing regulations of the now-defunct Council on Affordable Housing (“COAH”) at N.J.A.C. 5:93 and 5:97.

(3) The developer shall be responsible for the administration and affirmative marketing of the affordable housing units in accordance with the Borough’s Affordable Housing Requirements. The developer shall cooperate with the Municipal Housing Liaison to provide any and all documentation required for the Borough to comply with reporting requirements.

Section II. Severability

If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Borough of Raritan declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.

Section III. Effective Date.

This ordinance shall take effect immediately upon passage and publication according to law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was finally Adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, following a Second Reading and Public Hearing that took place in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026, at 7 p.m. This Ordinance shall take effect upon proper publication, as required by law.

ADOPTION:

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
		Agrawal					
		DiGraziano					
		Fritzinger					
		Giraldi					
		Harwood					
		Martinez					

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Ordinance was Introduced by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, at a Regular Meeting held in Borough Hall, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

BOROUGH OF RARITAN
ORDINANCE NO. 2026-08

**ORDINANCE TO EXCEED THE CY 2026 MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15 provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Borough Council of the Borough of Raritan, in the County of Somerset, New Jersey, finds it advisable and necessary to increase its CY 2026 budget by up to 3.5 % over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Borough Council hereby determines that a 3.5 % increase in the budget for said year, amounting to \$157,902.70 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Borough Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years:

NOW THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Raritan, in the County of Somerset, New Jersey, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2026 budget year, the final appropriations of the Borough of Raritan shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$368,439.60 and that the CY 2026 municipal budget for the Borough of Raritan be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

This Ordinance shall take effect after publication in accordance with applicable law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was finally Adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, following a Second Reading and Public Hearing that took place in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026, at 7 p.m. This Ordinance shall take effect upon proper publication, as required by law.

ADOPTION:

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
		Agrawal					
		DiGraziano					
		Fritzinger					
		Giraldi					
		Harwood					
		Martinez					

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Ordinance was Introduced by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, at a Regular Meeting held in Borough Hall, 9 West Somerset Street, Raritan, NJ 08869 on Friday, March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

BOROUGH OF RARITAN
RESOLUTION NO. 2026-03-052

AUTHORIZING CONTINUED AGREEMENT FOR TRASH REIMBURSEMENT – BRIDGE WALK, LLC.

WHEREAS, Bridge Walk, LLC , is the owner of an apartment complex known as Stone Bridge at Raritan, located at 925 U S 202, Raritan, New Jersey, 08869; and

WHEREAS, Stone Bridge at Raritan contains 363 residential apartment units and provides private trash removal for the residents from on-site dumpsters on the premises; and

WHEREAS, the Borough of Raritan has agreed to reimburse Stone Bridge at Raritan for the cost of private trash removal limited to the amount the Borough would have spent if it provided the same services to residents along the public roads in accordance with NJSA 40:66-1.3; and

WHEREAS, the parties have agreed that the reasonable estimated cost to reimburse Stone Bridge at Raritan is \$40,000 per year; and

NOW, THEREFORE, BE IT RESOLVED that in lieu of providing trash removal services to Stone Bridge at Raritan, the Borough of Raritan will reimburse Stone Bridge at Raritan the amount it would have spent if it provided the same services to residents on public roads, which has been estimated and agreed by the parties to be \$40,000.00 for calendar year 2026.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT
		Agrawal				
		DiGraziano				
		Fritzinger				
		Giraldi				
		Harwood				
		Martinez				

BOROUGH OF RARITAN
RESOLUTION 2026-03-053

**AUTHORIZING APPROPRIATIONS TO COVER DEBT SERVICE
REQUIREMENTS FROM JANUARY 1, 2026 TO DECEMBER 31,
2026**

WHEREAS, NJSA 40A:4-19 provides authority for appropriating in a temporary resolution, the permanent debt service requirements for the coming fiscal year, providing that such resolution is not made earlier than December 20th of the year preceding the beginning of the fiscal year; and

WHEREAS, principal and interest will be due on various dates, from January 1, 2026 to December 31, 2026, inclusive of bonds issued and outstanding.

NOW, THEREFORE, BE IT RESOLVED, that the following appropriations be made to cover the period from January 1, 2026 to December 31, 2026 inclusive:

<u>APPROPRIATIONS</u>	<u>AMOUNT</u>
CURRENT FUND:	
Debt Service:	
Bond Principal	\$780,000.00
Note Principal	\$165,000.00
Interest on Bonds	\$256,990.00
Interest on Notes	\$461,036.00
TOTAL/CURRENT.....	\$1,663,026.00

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on Mach 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
		Agrawal					
		DiGraziano					
		Fritzinger					
		Giraldi					
		Harwood					
		Martinez					

BOROUGH OF RARITAN
RESOLUTION 2026-03-054

**AUTHORIZING TEMPORARY APPROPRIATION FOR 2026
CURRENT OPERATING MUNICIPAL BUDGET**

WHEREAS, an emergent condition has arisen with respect to the late adoption of the 2026 Municipal Budget, and adequate provision has not been made in the 2026 Temporary Budget appropriations for the aforesaid purpose, and NJS 40:4-20 provides for the creation of emergency appropriations, and

WHEREAS, the total emergency temporary resolutions for appropriations adopted in the year 2026 pursuant to the provisions of Chapter 96, PL 1951 (NJS 40A:20) including this resolution total \$4,275,075.00.

NOW, THEREFORE BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of NJS 40:4-20:

1. That emergency temporary appropriations be made and the same is hereby made for the titles and amounts listed below.
2. That said emergency temporary appropriations will be provided for in the 2026 budget under the titles listed below.

<u>Appropriations</u>	<u>Salaries/Wages</u>	<u>Other Exp</u>
Snow Removal	\$33,000.00	\$16,500.00
Sewer		15,000.00
Sanitation		40,000.00
PFRS		5,250.00
DPW Shared Service		20,000.00
	Total	\$129,750.00

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
		Agrawal					
		DiGraziano					
		Fritzinger					
		Giraldi					
		Harwood					
		Martinez					

BOROUGH OF RARITAN
RESOLUTION 2026-03-055

**APPOINTING RISK MANAGEMENT CONSULTANT FOR 2026
FUND YEAR**

WHEREAS, Raritan Borough_(hereinafter “Local Unit”) has joined the Statewide Insurance Fund (hereinafter “Fund”), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

WHEREAS, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the “Fund”; and

WHEREAS, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

WHEREAS, the “Fund” has requested its members to appoint individuals or entities to that position; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of “Local Unit”, in the County of Somerset and State of New Jersey, as follows:

1. Raritan Borough (Local Unit) hereby appoints Willis Towers Watson to serve as its 2026 Risk Management Consultant.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
		Agrawal					
		DiGraziano					
		Fritzinger					
		Giraldi					
		Harwood					
		Martinez					

BOROUGH OF RARITAN
RESOLUTION NO. 2026-03-056

AUTHORIZING EXECUTION OF CGP&H, LLC. AGREEMENT 2026

WHEREAS, the Borough of Raritan (hereinafter referred to as “Borough”), a Municipal Corporation of the State of New Jersey and CGP&H LLC, 101 Interchange Plaza, Suite 301, Cranbury, NJ 08512 (hereinafter referred to as “CGP&H”) wish to enter into an agreement; and

WHEREAS, both the Borough and CGP&H desire to set forth the various duties, terms and responsibilities of the parties hereto; and

WHEREAS, the Borough Council hereby desires to approve of this Contract that was presented for the provision of services attached hereto; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, hereby authorizes the Mayor and Borough Clerk to execute said agreement. And any other necessary documents which may be required between the Borough and CGP&H.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
		Agrawal					
		DiGraziano					
		Fritzinger					
		Giraldi					
		Harwood					
		Martinez					

BOROUGH OF RARITAN
RESOLUTION 2026-03-057

**AUTHORIZING THE 2026 SUMMER CAMP PROGRAM
AND ESTABLISHING PROGRAM FEES**

WHEREAS, the Borough of Raritan desires to provide recreational and educational opportunities for children through its annual Summer Camp Program; and

WHEREAS, the Borough recognizes the importance of offering safe, supervised, and enriching activities for youth during the summer months; and

WHEREAS, the Summer Camp Program has historically been funded through a combination of Recreation Department budget allocations and participant fees; and

WHEREAS, the 2025 Summer Camp Program fee was established at \$175.00 for early registration and \$200.00 per participant there after; and

WHEREAS, due to increased program costs, including but not limited to staffing, supplies, insurance, and operational expenses, it is necessary to adjust program fees for 2026 to ensure the continued financial sustainability of the program;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Raritan, County of Somerset, State of New Jersey, as follows:

1. The Borough of Raritan hereby authorizes the implementation of the 2026 Summer Camp Program through the Recreation Department.
2. The Summer Camp Program fee for 2026 shall be established at \$175.00 for early registration and \$210.00 per participant thereafter.
3. The Recreation Directors are hereby authorized to execute all necessary agreements and documents and to take all administrative actions required to implement the 2026 Summer Camp Program consistent with this Resolution.
4. All revenues collected from program fees shall be deposited in the appropriate Recreation trust or budget account in accordance with applicable law.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT	RECUSED
--------	--------	--------	-----	-----	---------	--------	---------

Kimberly Mathewson
Acting Borough Clerk

		Agrawal					
		DiGraziano					
		Fritzing					
		Giraldi					
		Harwood					
		Martinez					

BOROUGH OF RARITAN
RESOLUTION 2026-03-058

APPOINTING MUNICIPAL HOUSING LIAISON FOR 2026

WHEREAS, under authorization of the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301, et seq.) (“FHA”), the Borough of Raritan is implementing a program to provide affordable housing units to low-and moderate-income households within the Borough; and

WHEREAS, the Borough’s Affordable Housing Ordinance sets forth the duties of the Municipal Housing Liaison that require a Municipal Housing Liaison to oversee the Borough of Raritan’s Affordable Housing Program in accordance with the requirements of the FHA, N.J.A.C. 5:99-1 et seq., and N.J.A.C. 5:80-26.1 et seq. (Uniform Housing Affordability Controls or “UHAC”); and

WHEREAS, pursuant to N.J.A.C. 5:93-1 et seq. and UHAC, the Borough of Raritan is required to appoint a Municipal Housing Liaison for administration of the Borough’s Affordable Housing Program to enforce the requirements of N.J.A.C 5:93-1 et seq. and N.J.A.C. 5:80-26.1 et seq.

NOW THEREFORE BE IT RESOLVED, by the Borough of Raritan, County of Somerset, State of New Jersey, that the Borough of Raritan hereby appoints the Borough Administrator as the Municipal Housing Liaison for the administration of the affordability controls of the Borough’s housing program for the year 2026.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT
		Agrawal				
		DiGraziano				
		Fritzinger				
		Giraldi				
		Harwood				
		Martinez				

BOROUGH OF RARITAN
RESOLUTION 2026-03-059

**ENDORING THE FOURTH ROUND HOUSING ELEMENT AND
FAIR SHARE PLAN PREPARED BY HEYER, GRUEL &
ASSOCIATES DATED FEBRUARY 2026 AND AMENDING THE
HOUSING ELEMENT OF THE MASTER PLAN OF THE
BOROUGH OF RARITAN, WHICH WAS PREVIOUSLY ADOPTED
BY THE LAND USE BOARD OF THE BOROUGH OF RARITAN**

WHEREAS, the Borough of Raritan, County of Somerset, State of New Jersey filed a Declaratory Judgment Complaint and, as a result of participation in the Program, established Fourth Round affordable housing obligations of nine (9) present need and Ninety-Nine (99) units prospective need for the years 2025-2035; and

WHEREAS, the Borough filed a Fourth Round Housing Element and Fair Share Plan dated June 25th, 2025; and

WHEREAS, Fair Share Housing Center filed a challenge to the Borough's Housing Element and Fair Share Plan; and

WHEREAS, the Borough of Raritan has entered into a settlement agreement with Fair Share Housing Center regarding the Borough's 2025 Fourth Round Affordable Housing obligations which require certain revisions to the Borough's 2025 Fourth Round Housing Element and Fair Share Plan; and

WHEREAS, the Land Use Board of the Borough of Raritan conducted a public hearing regarding the Amended 2025 Fourth Round Housing Element and Fair Share Plan, to the Master Plan on March 9, 2026; and

WHEREAS, the Land Use Board of the Borough of Raritan determined the amended 2025 Fourth Round Housing Element and Fair Share Plan was with the goals and objectives of the Master Plan of the Borough of Raritan, and the adoption and implementation of the 2025 Housing Element and Fair Share Plan is in the public interest and protects the public health and safety and promotes the general welfare; and

WHEREAS, the Land Use Board of the Borough of Raritan adopted the Amended 2025 Fourth Round Housing Element and Fair Share Plan by Resolution 2026-04 on March 9, 2026.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Raritan, County of Somerset hereby endorses the Amended 2025 Fourth Round

Housing Element and Fair Share Plan as adopted by the Land Use Board of the Borough of Raritan.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT
		Agrawal				
		DiGraziano				
		Fritzinger				
		Giraldi				
		Harwood				
		Martinez				

BOROUGH OF RARITAN
RESOLUTION 2026-03-060

**AUTHORIZING AND ADOPTING THE AMENDED HOME
IMPROVEMENT PROGRAM POLICIES AND PROCEDURES
MANUAL AND AFFORDABILITY ASSISTANCE PROGRAM
POLICIES AND PROCEDURES MANUAL FOR THE BOROUGH
OF RARITAN, COUNTY OF SOMERSET**

WHEREAS, in accordance with the Amended Fair Housing Act and the New Jersey Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1, et. seq.) the Borough of Raritan is required to adopt all program operating manuals, which set forth the procedures for administering the programs and their associated controls for affordable housing units created within the Borough of Raritan; and

WHEREAS, the Borough of Raritan’s professionals have prepared the Home Improvement Policies and Procedures Manual with an amendment date of February 19, 2026, and Affordability Assistance Program Policies and Procedures Manual dated March 2025 to comply with the updated N.J.A.C. 5:80-26.1, et. seq. regulations, a copy of which is attached hereto, and made a part hereof.

NOW THEREFORE, BE IT RESOLVED, that the Borough Committee of the Borough of Raritan, County of Somerset, State of New Jersey does hereby authorize and adopt the Home Improvement Policies and Procedures Manual with an amendment date of February 19, 2026, and Affordability Assistance Program Policies and Procedures Manual dated March 2025.

BE IT FURTHER RESOLVED that the Resolution shall take effect immediately.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT
		Agrawal				
		DiGraziano				
		Fritzinger				
		Giraldi				
		Harwood				
		Martinez				

BOROUGH OF RARITAN
RESOLUTION 2026-03-061

**ADOPTING THE ‘AFFIRMATIVE MARKETING PLAN’
FOR THE BOROUGH OF RARITAN**

WHEREAS, in accordance with the New Jersey Uniform Housing Affordability Controls pursuant to N.J.A.C. 5:80-26.1, *et seq.*, the Borough of Raritan is required to adopt an Affirmative Marketing Plan to ensure that all affordable housing units created, including those created by the rehabilitation of rental housing units within the Borough of Raritan, are affirmatively marketed to low- and moderate-income households within Housing Region 3, the COAH Housing Region encompassing the Borough of Raritan.

NOW THEREFORE BE IT RESOLVED, that the Borough Committee of the Borough of RARITAN in the County of Somerset, and the State of New Jersey does hereby adopt the attached Affirmative Marketing Plan.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT
		Agrawal				
		DiGraziano				
		Fritzinger				
		Giraldi				
		Harwood				
		Martinez				

BOROUGH OF RARITAN
RESOLUTION 2026-03-062

**ADOPTING THE FOURTH ROUND SPENDING PLAN DATED
FEBRUARY 12, 2026 BY THE BOROUGH OF RARITAN, COUNTY
OF SOMERSET, AND STATE OF NEW JERSEY**

WHEREAS, on January 21, 2025, Raritan Borough (“Borough”) adopted Resolution 2025-20, which established the Borough’s Fourth Round present and prospective need obligations pursuant to the amended Fair Housing Act (“FHS”) at N.J.S.A. 52:27D-301 et. seq., per P.L. 2024, c.2; and

WHEREAS, on January 23, 2025, the Borough filed a Declaratory Judgment Action (“DJ Action”) in the New Jersey Superior Court captioned In the Matter of the Borough of Raritan, SOM-L-107-25, seeking among other things, compliance certifications; and

WHEREAS, on March 26, 2025, the Court entered an Order fixing the Borough’s Fourth Round present need obligation as nine (9) and prospective need obligation as ninety-nine (99); and

WHEREAS, the Borough of Raritan’s Land Use Board (“LUB”) held a public hearing and voted to adopt the Borough’s 2025 Fourth Round Housing Element and Fair Share Plan (“Fourth HEFSP”), addressing the Borough’s prior round obligations, Third Round Obligations and Fourth Round obligations as established; and

WHEREAS, the Borough of Raritan’s Land Use Board (“LUB”) held a public hearing and voted to adopt the Borough’s Amended 2025 Fourth Round Housing Element and Fair Share plan (“Amended Fourth HEFSP”); and

WHEREAS, pursuant to the Amended FHA, a municipality may not spend or commit to spend any affordable housing development fees collected and deposited into the municipal affordable housing trust fund, without first obtaining the approval of the expenditure as part of its compliance certification; and

WHEREAS, the Borough now seeks to adopt the Fourth Round Spending Plan dated February 12, 2026, which complies with the new N.J.A.C. 5:99 rules, and outlines how the municipality intends to allocate development fees and other funds, and how the municipality proposes to expend funds for affordability assistance, especially those funds earmarked for very low-income affordability assistance;

NOW, THEREOFRE, be it resolved on this _____ day of March 2026, that the Borough of Raritan, County of Somerset and State of New Jersey, hereby adopts the Fourth Round Spending Plan.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT
		Agrawal				
		DiGraziano				
		Fritzinger				
		Giraldi				
		Harwood				
		Martinez				

BOROUGH OF RARITAN
RESOLUTION NO. 2026-03-063

APPROVING BILL LIST

WHEREAS, the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, received certain claims in the amount of \$506,917.17 for the period February 20, 2026 through March 6, 2026; and

WHEREAS, the Chief Financial Officer has reviewed said claims and recommends the approval of payment.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey that bills listed on the Bill List attached hereto are approved for payment.

ATTEST:

Kimberly Mathewson
Acting Borough Clerk

Don Tozzi
Mayor

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey at a Regular Meeting held in the Meeting Room of the Municipal Building, 9 West Somerset Street, Raritan, NJ 08869, on March 13, 2026.

Kimberly Mathewson
Acting Borough Clerk

MOTION	SECOND	MEMBER	YEA	NAY	ABSTAIN	ABSENT
		Agrawal				
		DiGraziano				
		Fritzinger				
		Giraldi				
		Harwood				
		Martinez				