

**BOROUGH OF RARITAN
REGULAR MEETING
JULY 24, 2012**

The Regular Meeting of the Borough of Raritan Council was held on July 24, 2012 in the Municipal Building, 22 First Street, Raritan, New Jersey 08869 at 7:00 pm.

STATEMENT OF PUBLIC NOTICE

Mayor Liptak read the following notice: Notice of this meeting was made by advising The Courier News and the Star Ledger of the time, date and place of this Council Meeting, posting a notice on the official bulletin board, the official Borough website, filing a copy in the Borough's Clerk office and including this statement in the minutes of this meeting.

ROLL CALL

Present: Stefanie Gara, Paul Giraldi, Greg Lobell, Anthony Soriano and Donald Tozzi

Absent: Denise Carra

Also Present: Mayor Jo-Ann Liptak; Daniel Jaxel, Borough Administrator; Mark Anderson, Borough Attorney; Jolanta Maziarz, Alternate Borough Attorney and Rayna E. Harris, Borough Clerk

Council Member Anthony Soriano led the flag salute and invocation.

PRESENTATIONS

Mayor Liptak present certificates to the Fire Department Cadets:
Daniel Memoli, Valentino Rosato, Jeremy DiNella, Gabriel Ruffi

Mayor Liptak present certificates to the Rescue Squad Cadets:
Ashley Condo, Carl Kaye, Justin Bigelow, Robert Canuel, Jr., Tyler Mylroie, Ian Gallagher, Jerrold Solomon, Noah Allatt, Nicholas Fabiano, Chelsea Castro, Zohour Hassan

PUBLIC COMMENTS

At this point the Borough Council welcomes comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 5 minutes. If reading from a prepared statement, please provide a written copy and e-mail a copy to the Borough Clerk's Office after making your comments.

Richard Yadlosky, 267 Weiss Terrace, Raritan, NJ 08869: He commented on the problem of large government and the need for greater appreciation of volunteers.

APPROVAL OF MINUTES

May 11, 2010 Agenda Meeting

Council Member Lobell made a motion to approve the above listed Minutes with corrections/additions and was seconded by Council President Gara. Motion carried on the following roll call vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
	X	Gara	X			
		Giraldi			X	
X		Lobell	X			
		Soriano			X	
		Tozzi			X	

May 11, 2010 Regular Meeting

Council Member Lobell made a motion to approve the above listed Minutes with corrections/additions and was seconded by Council President Gara. Motion carried on the following roll call vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
	X	Gara	X			
		Giraldi			X	
X		Lobell	X			
		Soriano			X	
		Tozzi			X	

May 11, 2010 Executive Session

Council President Gara made a motion to approve the above listed Minutes with corrections and was seconded by Council Member Lobell. Motion carried on the following roll call vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
X		Gara	X			
		Giraldi			X	
	X	Lobell	X			
		Soriano			X	
		Tozzi			X	

February 28, 2012 Regular Meeting

Council President Gara made a motion to approve the above listed Minutes with corrections and was seconded by Council Member Tozzi. Motion carried on the following roll call vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
X		Gara	X			
		Giraldi	X			
		Lobell	X			
		Soriano	X			
	X	Tozzi	X			

February 28, 2012 Executive Session

Council Member Lobell made a motion to approve the above listed Minutes with corrections and was seconded by Council Member Soriano. Motion carried on the following roll call vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
		Gara	X			
		Giraldi	X			
X		Lobell	X			
	X	Soriano	X			
		Tozzi	X			

ORDINANCES: PUBLIC HEARING AND ADOPTION

ORDINANCE 2012-09

An Ordinance Amending the Raritan Borough Code by Replacing Chapter 82, Part 3, Entitled “Permit Parking” With A New Part 3

Council Member Lobell moved and Council Member Giraldi seconded the opening of the public hearing on **Ordinance 2012-09**. Motion carried.

No one spoke.

Council President Gara moved and Council Member Giraldi seconded the closing of the public hearing on **Ordinance 2012-09**. Motion carried.

No motion to adopt **Ordinance 2012-09** was offered.

ORDINANCE 2012-10

Council Member Tozzi moved and Council President Gara seconded the opening of the public hearing on **Ordinance 2012-10**. Motion carried.

No one spoke.

Council Member Lobell moved and Council Member Tozzi seconded the closing of the public hearing on **Ordinance 2012-10**. Motion carried.

Council President Gara moved and Council Member Tozzi seconded the adoption of **Ordinance 2012-10** on second and final reading. Motion carried on the following roll call vote.

AN ORDINANCE AMENDING THE RARITAN BOROUGH CODE BY REVISING CHAPTER 78A ENTITLED “TOWING AND STORAGE FOR MOTOR VEHICLES; OFFICIAL TOWERS LIST” TO REQUIRE LICENSE APPLICANTS TO PROVIDE CRIMINAL HISTORY RECORD

BE IT ORDAINED by the Borough Council of the Borough of Raritan in the County of Somerset that the Code of the Borough of Raritan of 1966 as heretofore amended be further amended as follows:

SECTION ONE:

Section 78A-2, paragraph A, entitled “Contents of Application for Tower License” is hereby amended by replacing subparagraph (5) in its entirety with the following:

- (5) A criminal history record obtained by each tow driver as prescribed by the New Jersey State Police. Forms and instructions can be obtained from the Borough Clerk or from www.njsp.org.

SECTION TWO:

Section 78A-2, paragraph B, entitled “Investigation” is hereby amended by replacing subparagraphs (2) and (3) in their entirety as follows:

- (2) Applications for Tower Licenses shall be investigated by the Chief of Police and approved or disapproved within thirty days of receipt from the Borough Clerk.
- (3) The Chief of Police shall provide a written explanation of the reasons for disapproving any application.

SECTION THREE:

Section 78A-2, paragraph C, entitled “Issuance or Denial of License; Renewal of License; Transferability” is hereby amended by replacing subparagraph (8) in its entirety as follows:

- (8) For any new tow driver hired after the license is granted, the applicant shall submit within 10 business days of hire, for investigative purposes, the name, address, New Jersey motor vehicle driver license number, proof of valid CDL, and a criminal history record obtained by the applicant as prescribed by the New Jersey State Police. Any new hire shall be prohibited from performing services for the Borough until the investigation, as set forth in this Chapter, on that new tow driver, is approved by the Chief of Police.

SECTION FOUR:

This Ordinance shall take effect upon its final passage and publication according to law.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
X		Gara	X			
		Giraldi	X			
		Lobell	X			
		Soriano	X			
	X	Tozzi	X			

ORDINANCE 2012-11

Council Member Lobell moved and Council Member Giraldi seconded the opening of the public hearing on **Ordinance 2012-11**. Motion carried.

Richard Yadlosky, 267 Weiss Terrace, Raritan, NJ 08869: He asked Mayor Liptak what positions were covered under this ordinance and then asked her the minimum and maximum salaries for each position. He then inquired about the current Municipal Court Judge.

Mayor Liptak read the ordinance to Mr. Yadlosky and replied that Robert Foley is the current judge.

Council Member Lobell moved and Council Member Tozzi seconded the closing of the public hearing on **Ordinance 2012-11**. Motion carried.

Council Member Lobell moved and Council President Gara seconded the adoption of **Ordinance 2012-11** on second and final reading. Motion carried on the following roll call vote.

**AN ORDINANCE TO FIX AND DETERMINE THE SALARIES, WAGES OR
COMPENSATION TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF
THE BOROUGH OF RARITAN**

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

1. The salaries, wages, or other compensation to be paid to the following officers and employees of the Borough of Raritan, in the County of Somerset, State of New Jersey, shall be fixed at amounts or rates of not less than the respective minimum amounts or rates, not more than the respective maximum or rates hereinafter set forth opposite the title of the respective officers or employees as follows:

<u>TITLE</u>	<u>PER ANNUM</u>	
	<u>MINIMUM</u>	<u>MAXIMUM</u>
Administrative Assistant, Construction Office	(hourly) 7.15	16.00
Administrative Assistant	10,000.00	45,000.00
Administrative/Zoning Officer	4,000.00	10,000.00
Arts and Crafts Instructor	(hourly) 7.15	13.00
Assistant Recreation Director	1,500.00	8,500.00
Assistant to the Court Administrator	(hourly) 10.00	25.00
Bookkeeper, Library	(hourly) 16.00	20.00
Borough Administrator	20,000.00	96,000.00
Borough Clerk	18,000.00	75,000.00
Building Subcode Official/ Housing Inspector	(hourly) 20.00	40.00
Chief Finance Officer	10,000.00	75,000.00
Construction Official/Building	20,000.00	82,000.00

Inspector, Plumbing Subcode Official		
Councilmember	1,000.00	3,000.00
Court Administrator	11,000.00	50,000.00
Custodian	(hourly) 7.15	25.00
Custodian Helper	(hourly) 7.15	23.00
Deputy Court Administrator	(hourly) 10.00	30.00
Deputy Registrar of Vital Statistics	300.00	1,000.00
Fire Official	(hourly) 15.00	30.00
Fire Subcode Official	(hourly) 20.00	40.00
Housing Official	4,000.00	10,000.00
Judge of Municipal Court	7,500.00	25,000.00
Library Aids	(hourly) 10.00	18.00
Library Assistant	(hourly) 10.00	18.00
Library Director	40,000.00	60,000.00
Lifeguard	(hourly) 7.15	15.00
Mayor	1,200.00	4,000.00
Playground Instructor	(hourly) 7.15	11.00
Police Chief	50,000.00	115,000.00
Police Secretary	10,000.00	40,000.00
Principal Library Assistant	30,000.00	40,000.00
Property Maintenance Code Official,	(hourly) 15.00	30.00
Prosecutor	2,000.00	9,000.00
Public Defender	500.00	5,000.00
Public Works Superintendent	20,000.00	85,000.00
Recreation Director	12,000.00	15,000.00
Registrar of Vital Statistics	2,000.00	12,000.00
Secretary/Board of Health	400.00	2,000.00
Secretary/Environmental Commission	400.00	2,000.00
Secretary/Planning Board	900.00	4,000.00
Secretary/Recreation Commission	400.00	2,000.00
Senior Life Guard	14.00	17.00
Scorekeeper	(per game) 7.15	14.00
Summer Help Public Works	(hourly) 7.15	14.00
Tax Collector	20,00.00	42,000.00
Tax Search Officer	200.00	2,000.00
Technical Assistant/Construction	9,000.00	40,000.00
Clerk/Tax Assessment Office		
Umpire	(per game) 15.00	55.00
Youth Services Coordinator/Library	25,000.00	35,000.00

2. The salary and wage ranges and maximums shall be retroactive as of and from, and after January 1, 2012 and shall continue active as of and from, and after January 1, 2012.
3. In the event of future succession to any of the foregoing positions by a change of personnel, the salary or wage of such new employee shall be fixed by resolution of the Mayor and

Council adopted therefore but not to exceed the amount or rate for such position as hereinabove set forth.

4. The Borough Council may also fix and determine from time to time the times at which and the installments in which or periods of time for which the salaries, wages, or compensation of the employees enumerated in Section 1 of this ordinance shall be paid to them respectively.
5. This ordinance shall take effect immediately upon passage and publication as required by law and all prior salary ordinances are hereby repealed.
6. Payment of the salaries, wages, and compensation described herein are subject to funding in the existing budget, notwithstanding the effective date of this ordinance.

This Ordinance shall take effect upon its final passage and publication according to law.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
	X	Gara	X			
		Giraldi	X			
X		Lobell	X			
		Soriano	X			
		Tozzi	X			

ORDINANCE 2012-12

Council President Gara moved and Council Member Tozzi seconded the opening of the public hearing on **Ordinance 2012-12**. Motion carried.

No one spoke.

Council Member Giraldi moved and Council Member Soriano seconded the closing of the public hearing on **Ordinance 2012-12**. Motion carried.

Council President Gara moved and Council Member Tozzi seconded the adoption of **Ordinance 2012-12** on second and final reading. Motion carried on the following roll call vote.

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF RARITAN BY AMENDING CHAPTER 42, ENTITLED "LAND USE AND DEVELOPMENT", TO PERMIT COMMERCIAL MUSIC RECORDING STUDIOS IN CERTAIN ZONES

BE IT ORDAINED by the Borough Council of the Borough of Raritan in the County of Somerset that the Code of the Borough of Raritan of 1966 as heretofore amended be further amended as follows:

SECTION ONE:

Section 42-9 is hereby amended by the addition of the following definitions:

RECORDING STUDIO, ACCESSORY – A studio for audio or video recording operated as an accessory to a performing arts or music school or studio, a public or private elementary, middle, secondary or vocational school; or a college or university.

RECORDING STUDIO, COMMERCIAL MUSIC – A facility containing one or more studios for the recording or rehearsal of music including but not limited to soundstages, recording production facilities and administrative offices but not including theater facilities for live performances.

SECTION TWO:

Section 42-134, entitled “B-2 Shopping Center District”, is hereby amended by the addition of subparagraph (d) to Paragraph A(1) as follows:

- (d) Commercial music recording studios.

SECTION THREE:

Paragraph A of Section 42-141, which section is entitled “OM-2 Office and Limited Manufacturing District”, is hereby repealed and replaced in its entirety as follows:

- A. Permitted principal uses. This district is for medium scale non-residential uses, sited singly or with other uses in an office/industrial park and designed to limit adverse impacts on adjoining residential neighborhoods. Permitted principal uses shall be as follows:
 - (1) Offices for professional or business uses, including executive, engineering, accounting, scientific, research and development, and statistical and financial purposes.
 - (2) Scientific research laboratories or other experimental, testing or research establishments such as product development, provided that no processing of raw materials shall be permitted and there is not commercial production of goods, products or materials except as would otherwise be permitted in Subsection A(3) below.
 - (3) Any use of a light manufacturing nature which involves only the processing, assembly or packaging of previously prepared or refined materials. The following light manufacturing uses are indicative of those which are intended to be permitted:

- (a) Manufacture, assembly or packaging of products from previously prepared materials such as cloth, plastic, paper, leather, precious or semiprecious stones or metals, but not including any manufacturing uses involving primary production of wood, metal, chemical or other products from raw materials.
- (b) Manufacture of electric and electronic instruments and devices.
- (c) Manufacture and processing of pharmaceutical products, biological, diagnostic and medicinal products and cosmetic products, food products and the like, but not including the production of fish or meat products, sauerkraut, vinegar or other noxious foodstuffs or the rendering or refining of fats and oils.
- (4) Public or private parks, playgrounds, recreation buildings and facilities.
- (5) Commercial music recording studios.

SECTION FOUR:

Section 42-81, entitled "Parking" is hereby amended by the addition of the following under Paragraph D, subparagraph (1):

Use	Number of Spaces
Commercial music recording studio.	1 space per 400 square feet of GFA.

SECTION FIVE:

This Ordinance shall take effect upon its final passage and publication according to law.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
X		Gara	X			
		Giraldi	X			
		Lobell	X			
		Soriano	X			
	X	Tozzi	X			

ORDINANCE 2012-13

Council President Gara moved and Council Member Lobell seconded the opening of the public hearing on **Ordinance 2012-13**. Motion carried.

No one spoke.

Council Member Giraldi moved and Council Member Tozzi seconded the closing of the public hearing on **Ordinance 2012-13**. Motion carried.

Council President Gara moved and Council Member Tozzi seconded the adoption of **Ordinance 2012-13** on second and final reading. Motion carried on the following roll call vote.

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF RARITAN BY AMENDING CHAPTER 42, ENTITLED “LAND USE AND DEVELOPMENT”, TO IMPLEMENT A LAND USE PLAN AMENDMENT FOR THE ORLANDO DRIVE CORRIDOR

BE IT ORDAINED by the Borough Council of the Borough of Raritan in the County of Somerset that the Code of the Borough of Raritan of 1966 as heretofore amended be further amended as follows:

SECTION ONE:

Section 42-120, entitled “Establishment and enumeration of districts” and “Zoning Map” is hereby repealed in its entirety and replaced with the following:

~42-120.	Establishment and Enumeration of Districts.	
	Design-	
Section	Description	
~42-123	R-1	Low-Density Residential District
~42-124	R-2	Medium-Low-Density Residential District
~42-125	R-3	Medium-Density Residential District
~42-126	R-4	Medium-High-Density Residential District
~42-127	R-5	Townhouse/Garden Apartment Density District
~42-128	R-1/RD-1	Inclusionary Residential Overlay District
~42-129	IRD-2	Inclusionary Residential District
~42-130	(Reserved)	
~42-131	PACD	Planned Adult Community District
~42-132	PDRD	Planned Downtown Residential Development Overlay District

~42-133	B-1	Central Business District
~42-134	B-2	Shopping Center District
~42-135	B-3	Highway Business District
~42-136	B-4	Neighborhood Business District
~42-137	B-5	Transit Center Business District
~42-138	P-1	Office Building District
~42-139	P-2	Office Building District
~42-140	OMR	Office, Light Manufacturing and Recreation District
~42-141	OM-2	Industrial Park District
~42-142	OM-3	Limited Industrial District
~42-143	G-1	Governmental District
~42-144	RR	Railroad District
~42-145	RG	Riverfront Greenway District
~42-145.1	RC	Riverfront Commercial District

~42.120.1. Zoning Map.

The boundaries of all zone districts set forth in this ordinance shall be shown on a map. Said map shall be filed in the office of the Borough Clerk and shall hereafter be the official Zoning Map of the Borough. Such map is hereby declared a part of this ordinance and shall be duly certified by the Borough Clerk. A copy of the zoning map is included at the end of this chapter.

SECTION TWO:

Section 42-145, entitled “OS/P Open Space and Recreation”, and all references thereto, are hereby repealed. Section 42-145 is replaced in its entirety with the following:

~42-145. RG Riverfront Greenway

The Riverfront Greenway District is intended primarily for public recreational use including a greenway, and other public uses. This district can also accommodate compatible private uses on public lands such as boat clubs and small marinas, boat and bicycle rentals, festivals, outdoor markets, entertainment venues, and mobile vendors. All such uses shall be subject to applicable licensing and permit requirements either currently in place or developed for such purposes by the Borough. All such uses must be designed, located, and operated so as not to interrupt access to or enjoyment of the riverfront and surrounding green spaces.

SECTION THREE:

Chapter 42 is hereby amended by the addition of a new Section, 42-145.1, entitled “RC Riverfront Commercial District”, as follows:

~42-145.1 Riverfront Commercial District

- A. Permitted principle uses. The Riverfront Commercial District is intended to accommodate a well-designed mix of hospitality, restaurant, interpretive, heritage, tourism, and recreation uses as well as complementary retail uses. All development in this district shall be compatible with and take advantage of its waterfront location and ensure the continuation of the riverfront greenway. More than one principal use is permitted on a given property. Permitted principal uses include the following and require site plan approval:
- (1) Greenway, open space, plazas, outdoor recreation facilities.
 - (2) Interpretive displays and kiosks for the purposes of way-finding or enhancing the heritage and recreational experience of the riverfront and greenway.
 - (3) Outdoor recreation-oriented retail sales, service and rentals such as but not limited to bicycles, hiking, fishing, canoes/kayaks, ice skating, and skiing.
 - (4) Artisan studios for the on-site production of goods and the direct sale of those goods to consumers. The on-site production shall involve only the use of hand tools or domestic mechanical equipment that does not exceed two horsepower each or a single kiln not exceeding eight cubic feet in volume. Typical production includes: custom furniture, ceramics, glass blowing, candle making, custom jewelry, stained and leaded glass, woodworking, custom textile manufacturing and crafts production.
 - (5) Art galleries.
 - (6) Visitor center for the dissemination of information and retail sale of gifts, souvenirs and other sundry convenience items in support of a local or regional tourist, cultural or educational facility.
 - (7) Restaurants and other establishments serving food and beverage but not including drive-through restaurants. Outdoor dining is permitted when conducted in concert with an indoor dining facility.

- (8) Museums and educational facilities related to local and regional heritage and/or river ecology and natural habitat restoration.
- (9) Hotels in accordance with the following standards:
 - (a) The maximum number of guest rooms shall be 40.
 - (b) Appurtenant restaurants, meeting rooms, and recreational facilities such as swimming pools shall be for the exclusive use of hotel guests. Large conference or banquet facilities are prohibited.
 - (c) All guestrooms shall be accessed through a common lobby and interior hallways.

(10) Governmental facilities.

- B. Permitted accessory uses. Permitted accessory uses shall be any accessory use located on the same lot with and customarily incidental to any principal use permitted in this district.
- C. Permitted conditional uses. There are no conditional uses permitted in this district.
- D. Lot area, yard and bulk requirements.

Standards for use categories A(1), A(2) and A(10) shall be determined by the Land Use Board during the site plan review process.

Use Categories A(3), A(4), A(5), A(6), A(7) and A(8):

Minimum lot area	40,000 sq. ft.
Minimum lot width at front property line	200 feet

Principal Building:

Minimum front yard	20 feet
Minimum rear yard	30 feet
Minimum one side	10 feet
Minimum both sides	20 feet
Maximum height–stories/feet	2/35

Accessory Building:

Minimum front yard	Prohibited in
front yard	
Minimum rear yard	20 feet
Minimum side yard	10 feet
Maximum height	16 feet

Use Category A(9) – Hotels:

Minimum lot area	2 acres
Minimum lot width measured	
at front property line	400 feet
Minimum setback from all	
property lines	20 feet
Maximum height–stories/feet	3/45
Minimum height	2 stories

All Uses:

Maximum impervious	
lot coverage	60%

- E. Exemptions from area and yard requirements. Given the historic importance of the Duke filter house on Block 117.01, Lot 2/9.01, and the Duke power house on Block 116.02, Lot 2, and the Borough’s desire to preserve their historic, architectural and cultural significance, the reuse of these buildings for a permitted use is exempt from the lot area and yard requirements in subsection D, as long as the building is not enlarged in any way and the exterior is preserved in an historically accurate manner. The reuse of these buildings is, however, subject to site plan approval.

- F. Green space and buffers.
 - (1) Any portion of a development parcel that is not absolutely required for buildings, parking or loading shall be devoted to green space, including rain gardens and other natural stormwater management devices. The developer shall prepare a comprehensive green space plan for review by the appropriate Board as part of the site plan review process. The green space plan shall demonstrate how each of the following objectives will be achieved:
 - (a) Preservation or enhancement of existing natural features.
 - (b) Protection of environmentally sensitive features including but not limited to the Raritan River.
 - (c) Preservation of river views and other scenic vistas.

- (d) Providing opportunities for pedestrian and bicycle circulation and the continuation of the greenway.
 - (e) Providing opportunities for public gathering places such as plazas.
 - (f) Appropriate visual and noise buffers to protect sensitive receptors such as residential neighborhoods.
- (2) Fragmentation of the green areas into numerous small strips shall be avoided. Green spaces shall be reasonably contiguous and whenever possible abut existing or potential open space on adjacent parcels and maximize storm water run-off infiltration.
- G. Riparian buffer. A buffer area no less than 50 feet wide shall be provided along the Raritan River within which no new disturbances are permitted with the following exceptions:
- (1) Redevelopment within the limits of existing impervious surfaces;
 - (2) Liner development with no feasible or more desirable alternative;
 - (3) Disturbance necessary to provide for public access to the river or water dependent recreation including structures associated with the greenway; or
 - (4) Disturbance that is in accordance with a stream corridor restoration or stream bank stabilization plan or project.
- H. Off-street parking. Off-street parking shall be provided in accordance with §42-81 and the following:
- (1) Hotels shall provide parking at a rate of one space per guestroom plus an adequate number of spaces for employees as determined by the reviewing Board during the site plan process.
 - (2) The total number of parking spaces on any given parcel shall not exceed 105% of the base requirement.
 - (3) Shared access and parking arrangements between adjoining properties is encouraged. Whenever possible and practical, each parcel shall provide cross-access easements for parking and access driveways guaranteeing access to adjacent lots.

- (4) Surface lots are to be extensively landscaped in accordance with the comprehensive green space plan for the site. Tree islands are recommended at the ends of each aisle and interspersed within aisles to provide visual relief from long expanses of parking and to guide circulation. Whenever possible, surface parking should be screened from the street.
 - (5) Safe provisions for pedestrian access to and through a parking lot are required, including paths or sidewalks along the edge of the parking area, striping, enhanced pavement markings, traffic calming features and sufficient lighting.
- I. Signs. Signs shall conform to Article XIII, §42-116 and the standards applicable to the B-4 zone except that no freestanding signs are permitted other than directional, way-finding, or interpretive signs. A hotel may have one ground-based monument sign containing the name and logo of the hotel that is designed to be consistent with the hotel's architecture. The hotel monument sign shall meet the standards for a freestanding sign in the B-4 zone except as follows:
- (1) The maximum monument sign area, including the structure, shall be 24 square feet; and the maximum monument sign height, including structure and sign area, shall be four feet above existing grade.
 - (2) The monument sign shall be no closer than 10 feet to any property line.
 - (3) No monument sign shall be illuminated in such a manner as to cast a glare on neighboring sites or in such a manner as to impede the safe movement of traffic. Internally illuminated monument signs shall be constructed with an opaque background and translucent letters and symbols, or with a colored background and lighter letters and symbols. Externally illuminated monument signs are permitted to be illuminated only with steady, stationary, down directed and shielded light sources directed solely onto the sign. Light bulbs or light tubes used for illuminating a sign shall not be visible from adjacent public rights-of-way or residential properties. Flash or strobe lighting, neon lighting, and programmable electronic signs are prohibited.
- J. Awnings and canopies. Awnings and canopies shall conform to the requirements in §42-133.H.
- K. Performance standards. All uses in this district shall comply with the performance standards in Article XIV.

- L. Environmental Impact Statement required. An environmental impact statement shall be prepared and submitted to the Borough in accordance with §42-8 for all development within the district.

SECTION FOUR:

The Zoning Map Amendment for Orlando Drive, dated January 10, 2012, is hereby adopted and attached hereto.

SECTION FIVE:

This Ordinance shall take effect upon its final passage and publication according to law.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
X		Gara	X			
		Giraldi	X			
		Lobell	X			
		Soriano	X			
	X	Tozzi	X			

RESOLUTIONS

RESOLUTION 2012-07-102

Mayor Liptak read this Resolution into the record.

Council Member Lobell moved to approve the following Resolution 2012-07-102 and was seconded by Council Member Giraldi. Motion carried by the following roll call vote.

A RESOLUTION DECLINING INCLUSION IN THE SOMERSET COUNTY REGIONAL POLICING INITIATIVE

WHEREAS, The Somerset County Board of Freeholders and County Prosecutor Geoffrey D. Soriano jointly released the findings of the Prosecutor’s Task Force on Regionalized Policing Final Report - March 2012; and

WHEREAS, the Borough of Raritan has completed the internal reviews, the intra-municipal dialogues and public hearings on the findings of the Regionalized Policing Final Report; and

WHEREAS, the Borough of Raritan finds that after review the proposed regional policing model fails to realize significant cost savings for the residents of Raritan and may lead to additional unforeseen costs; and

WHEREAS, the Borough of Raritan also finds that the proposed regional policing model is not congruent with the concept of community policing, exemplified by the loss of programs such as D.A.R.E.; and

WHEREAS, the Borough of Raritan further finds that the Regionalized Policing Final Report does not address the details of consolidation such as response time, ammunition, patrol cars, uniforms, inequity of pay between officers, etc.;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Raritan hereby declines inclusion in the proposed Somerset County Regional Policing Initiative.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
		Gara	X			
	X	Giraldi	X			
X		Lobell	X			
		Soriano	X			
		Tozzi	X			

RESOLUTION 2012-07-103

Council Member Tozzi moved to approve the following Resolution 2012-07-103 and was seconded by Council Member Lobell. Motion carried by the following roll call vote.

A RESOLUTION RELEASING IRREVOCABLE LETTER OF CREDIT NUMBERED 68049234 SUBMITTED BY INFORMATION TECHNOLOGY SERVICES, A DIVISION OF JOHNSON AND JOHNSON SERVICES, INC., IN THE AMOUNT OF \$164,402.20.

WHEREAS, Information Technology Services, a division of Johnson and Johnson Services, Inc., submitted to the Borough a performance guarantee in the form of an Irrevocable Standby Letter of Credit in the amount of \$164,402.20 in order to ensure its satisfactory completion of site improvements on its property in Block 31, Lot 4.01(“Property”); and

WHEREAS, the Borough Engineer has recommended the release of the \$164,402.20 Irrevocable Standby Letter of Credit, subject to full payment of any outstanding fees, as site improvements on the Property have been completed and the Irrevocable Standby Letter of Credit had expired as of March 31, 2011.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan that the Borough Council authorizes the release of the Irrevocable Standby Letter of Credit, numbered 68049234, in the amount of \$164,402.20, subject to full payment of any outstanding fees.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
		Gara	X			
		Giraldi	X			
	X	Lobell	X			

		Soriano	X			
X		Tozzi	X			

RESOLUTION 2012-07-104

Council President Gara moved to approve the following Resolution 2012-07-104 and was seconded by Council Member Giraldi. Motion carried by the following roll call vote.

RESOLUTION AUTHORIZING PARTICIPATION IN THE REGIONAL CENTER PARTNERSHIP CHALLENGE GRANT PROGRAM

WHEREAS, the Regional Center Partnership of Somerset County, Inc. has created the Regional Center Partnership Challenge Grant Program to help achieve broadly accepted goals and objectives of the Regional Center Partnership, which include downtown redevelopment, neighborhood revitalization, connecting the three sub-centers of the Regional Center and using the Center’s natural resources to shape development consistent with community planning initiatives; and

WHEREAS, the Regional Center Partnership Executive Committee has approved the Regional Center Partnership Challenge Grant Program and has made available grants in the amount of \$20,000.00 to each municipality in the Regional Center; and

WHEREAS, the Borough of Raritan desires to apply for a grant in the amount of \$20,000.00 for the purposes of designing and preparing construction documents for the relocation of the John Basilone Stature in Raritan Borough will advance the goals and objectives of the Regional Center Partnership and the Regional Center Vision Initiative.

NOW, THEREFORE, BE IT RESOLVED that the Borough of Raritan hereby authorizes the submission of a program application for the Regional Center Partnership Challenge Grant.

BE IT FURTHER RESOLVED that the Mayor and Clerk of the Borough of Raritan are hereby authorized to sign a contract and such other documents which may be required between the Regional Center Partnership of Somerset County, Inc. and the Borough of Raritan.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
X		Gara	X			
	X	Giraldi	X			
		Lobell	X			
		Soriano	X			
		Tozzi	X			

RESOLUTION 2012-07-105

Council President Gara moved to approve the following Resolution 2012-07-105 and was seconded by Council Member Soriano. Motion carried by the following roll call vote.

A RESOLUTION AUTHORIZING GRANT AGREEMENT FOR THE ANJEC 2012 SUSTAINABLE LAND USE PLANNING GRANT PROJECT

WHEREAS, the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey authorized an application to obtain an ANJEC 2012 Sustainable Land Use Planning Grant Project in the amount of \$2,000.00, Resolution 2012-03-046 adopted on March 13, 2012; and

WHEREAS, ANJEC has approved a grant to the Borough in the amount of \$2,000.00 to contract with professional planner David Maski (consultant) to develop a Green Building Checklist for use with development applications;

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 the grant agreement accepting the ANJEC 2012 Sustainable Land Use Planning Grant Project in the amount of \$2,000.00 and such other documents which may be required between the Borough of Raritan and ANJEC.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
X		Gara	X			
		Giraldi	X			
		Lobell	X			
	X	Soriano	X			
		Tozzi	X			

RESOLUTION 2012-07-106

Council Member Lobell moved to approve the following Resolution 2012-07-106 and was seconded by Council Member Giraldi. Motion carried by the following roll call vote.

2012 SALARIES

BE IT RESOLVED by the Borough Council of the Borough of Raritan that pursuant to the minimum and maximum salary provisions of Raritan Borough Ordinance 2011-09, the following base salaries and wages are fixed for the respective offices and employments for 2012 and these shall be retroactive to January 1, 2012, unless otherwise stipulated;

<u>OFFICE OR EMPLOYMENT</u>	<u>Salary</u>
Administrative Assistant, Construction Office	\$11.00/hr.
Administrative Assistant	42,112
Building Subcode Official/Housing Inspector	35.70/hr.
Arts & Crafts Instructor	10.00- 12.50/hr.
Assistant Recreation Director	6,500.
Assistant to the Court Administrator	20.00/hr.
Bookkeeper, Library	20.00/hr.
Borough Administrator	93,291.
Borough Clerk	56,720.
Chief Financial Officer	68,000.
Construction Official, Building Inspector,	
Plumbing Subcode Official	67,250.
Administrative/Zoning Officer	7,210.
Housing Official	7,474.

Court Administrator	49,797.	
Custodian		24.59/hr.
Custodian Helper		21.85/hr.
Deputy Court Administrator		28.28/hr.
Deputy Registrar of Vital Statistics	600..	
Fire Official		25./hr.
Fire Subcode Official		35.70/hr.
Judge of the Municipal Court	23, 529.	
Library Director	52,000.	
Library Aides		10.50/hr.
Library Assistant		11.00/12.50/ hr.
Life Guard		10.00- 14.50/hr.
Playground Instructor		7.50 –9.50/hr
Police Chief	102,000	
Police Secretary	38,293	
Principal Library Assistant	35,000.	
Property Maintenance Code Official	20.00/hr.	
Prosecutor	7,843.	
Public Defender	3,922.	
Public Works Superintendent	70,340.	
Recreation Director	14,267.	
Registrar of Vital Statistics		10,661.
Score Keeper		11.00/game – 12.50/gam
Secretary to Board of Health	1,093.	
Secretary to Environment Commission	1,093.	
Secretary to Planning Board	2,485.	
Senior Life Guard		15.50/hr.
Secretary to Recreation Commission	1,360.	
Summer Help, Public Works		10.00/hr.
Tax Collector	41,000	
Technical Assistant/Construction Official/ Clerk/Tax Assessment Offices	38,243.	
Umpires		55.00 game
Youth Services Coordinator/Library	30,000.	
Mayor	\$2,000	
Councilperson	\$1,500	

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
		Gara	X			
	X	Giraldi	X			
X		Lobell	X			
		Soriano	X			
		Tozzi	X			

RESOLUTION 2012-07-107

Council President Gara moved to approve the following Resolution 2012-07-107 and was seconded by Council Member Giraldi. Motion carried by the following roll call vote.

A RESOLUTION REQUESTING THAT THE COUNCIL ON AFFORDABLE HOUSING REVIEW AND APPROVE THE AFFORDABLE HOUSING TRUST FUND SPENDING PLAN OF THE BOROUGH OF RARITAN

WHEREAS, on August 2, 2000, the Borough of Raritan in Somerset County, New Jersey, received approval from the Council on Affordable Housing (“COAH”) to maintain an affordable housing trust fund; and

WHEREAS, on July 23, 2002, the Borough adopted a development fee ordinance, which ordinance established an affordable housing trust fund; and

WHEREAS, the Borough’s affordable housing trust fund contains funds collected from development fees and earned interest; and

WHEREAS, the Borough is committed to expending the funds contained in the affordable housing trust fund in order to implement a Housing Rehabilitation Program and a Market to Affordable Program in accordance with the Borough’s Housing Element and Fair Share plan; and

WHEREAS, N.J.A.C. 5:97-8.1(d) requires a municipality with an affordable housing trust fund to receive approval of a spending plan from COAH prior to spending any of the funds in its housing trust fund; and

WHEREAS, N.J.A.C. 5:97-8.10 requires a spending plan to include the following:

A projection of revenues anticipated from imposing fees on development, based on pending, approved and anticipated developments and historic development activity;

A projection of revenues anticipated from other sources, including payments in lieu of constructing affordable units on sites zoned for affordable housing, funds from the sale of units with extinguished controls, proceeds from the sale of affordable units, rental income, repayments from affordable housing program loans, and interest earned;

A description of the administrative mechanism that the municipality will use to collect and distribute revenues;

A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7, 8.8, and 8.9;

A schedule for the expenditure of all affordable housing trust funds, provided that the trust fund balance as of July 17, 2008 is committed for expenditure within four years of that date and that

all development fees and any payments in lieu of construction are committed for expenditure within four years from the date of collection;

If applicable, a schedule for the creation or rehabilitation of housing units;

A pro-forma statement of the anticipated costs and revenues associated with the development if the municipality envisions supporting or sponsoring public sector or non-profit construction of housing; and

The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan; and

A description of the anticipated use of excess affordable housing trust funds, if more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and

WHEREAS, the Borough of Raritan has prepared a spending plan consistent with N.J.A.C. 5:97-8.10 and N.J.S.A. 40:55D-8.1, et seq.

NOW THEREFORE BE IT RESOLVED that the Borough Council of the Borough of Raritan endorses the spending plan dated July 20, 2012 and attached hereto and requests that COAH review and approve said plan.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
X		Gara	X			
	X	Giraldi	X			
		Lobell	X			
		Soriano	X			
		Tozzi	X			

SPENDING PLAN

Borough of Raritan

**Somerset County,
New Jersey**

**July 20,
2012**

**Prepared by Maureen Fullaway, President
Affordable Housing Administrators
PO Box 945
Point Pleasant, NJ 08742
732-892.4295
Mfullaway@verizon.net**

BOROUGH OF RARITAN AMENDED SPENDING PLAN

INTRODUCTION

Raritan Borough has prepared a Housing Element and Fair Share Plan in accordance with the

Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-

301) and the affordable housing regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). On August 2, 2000, the Borough received approval from COAH to maintain an affordable housing trust fund. A development fee ordinance creating a dedicated revenue source for affordable housing was adopted by the Borough on July 23, 2002. The ordinance establishes the Raritan Borough affordable housing trust fund for which this spending plan is prepared.

1. REVENUES FOR CERTIFICATION PERIOD

As of May 29, 2012, Raritan Borough has collected \$264,309.48 and expended \$75,282.15, resulting in a balance of \$189,027.33. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in T.D. Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9, as described in the sections that follow.

To calculate a projection of revenue anticipated during the period of third round substantive certification, Raritan Borough considered the following:

(a) Development fees: \$250,000

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Raritan Borough has not collected any payments in lieu and none are anticipated through 2018.

(c) Other funding sources:

Raritan Borough has not collected funds from any other sources, including, but not limited to, the sale of units with extinguished controls, repayment of affordable

housing program loans, rental income, and proceeds from the sale of affordable units.

(d) Projected interest: Interest on the projected revenue is \$2,840

SOURCE OF FUNDS	PROJECTED REVENUES-HOUSING TRUST FUND - 2012 THROUGH 2018							
	2012	2013	2014	2015	2016	2017	2018	Total
(a) Development fees:								
Approved Development								\$ -
Development Pending Approval								\$ -
Projected Development	\$35,000	\$40,000	\$35,000	\$35,000	\$35,000	\$35,000	\$35,000	\$ 250,000
(b) Payments in Lieu of Construction								\$ -
(c) Other Funds (Specify source(s))								\$ -
(d) Interest	\$405	\$410	\$405	\$405	\$405	\$405	\$405	\$ 2,840.00.00
Total	\$35,405	\$40,410	\$35,405	\$35,405	\$35,405	\$35,405	\$35,405	\$ 252,840.00

Raritan Borough projects a total of \$252,840 in revenue to be collected between January 1, 2012 and December 31, 2018. This projected amount, when added to Raritan Borough’s trust fund balance of \$189,027.33 as of May 29, 2012, results in an anticipated total revenue of \$441,867.33 available to fund and administer its affordable housing plan. All interest earned on the account shall be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Raritan Borough:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Raritan Borough’s development fee ordinance for both residential and non-residential developments in

accordance with the Department’s rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

A maximum of 20 percent of the affordable housing trust fund revenues may be utilized to address administrative costs. The remaining 80 percent will be used fund a Housing Rehabilitation Program and a Market to Affordable Program.

Housing trust fund revenues will be distributed under the same procedures as used for the payment of any bill or purchase by the Borough. Purchase orders will be requested, processed and forwarded to the Borough Council for approval.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

Raritan Borough will dedicate \$288,000 to rehabilitation or new construction programs as follows:

Rehabilitation program: Raritan Borough has a contract with Affordable Housing Administrators to administer its rehabilitation program. Approximately 16 units will be rehabilitated at an average cost of \$18,000 per unit. Program hard costs cannot exceed \$20,000 per unit. Raritan Borough has committed \$288,000 for the rehabilitation program.

New construction project(s):

No fund are committed for new construction

projects. (b) **Affordability Assistance (N.J.A.C.**

5:97-8.8)

AFFORDABILITY ASSISTANCE CALCULATION		
Actual fees thru 5/29/12		\$ 249,151.23
Actual interest thru 5/29/12	+	\$ 15,158.25
Projected Development Fees, May 29, 2012 thru 2018	+	\$ 250,000.00
Projected Trust Fund Interest, May 29, 2012 thru 2018	+	\$ 2,840.00
Less housing Activity thru 5/29/12	-	\$ 75,282.15
Total	=	\$ 441,867.33
30% Requirement	x .30	\$ 132,560.19

Less Affordability assist. expenditures thru 12/31/2011	-	\$ -
Projected Min. Afford Asst, 1/1/2012 thru 12/31/2018	=	\$ 132,560.19
Proj Min Afford. Asst for Very Low Income, 2012 thru 2018	x 1/3	\$ 44,186.73

Raritan Borough will dedicate \$132,560 from the affordable housing trust fund to render units more affordable, including \$44,186 to render units more affordable to households earning 30 percent or less of median income by region, as follows: A Market to Affordable Program

1. A Market to Affordable Program is established to permit the purchase or subsidization of units through a written agreement with the property owner and sold or rented to low- and moderate-income households. Subject to the provisions of #2(iii) below, the Market to Affordable Program may produce both low- and moderate-income units (the program may be limited to only low- or only moderate-income units as per the Fair Share Plan).
2. The following provisions shall apply to market to Affordable Programs:
 - i. At the time they are offered for sale or rental, eligible units may be new, pre-owned or vacant.
 - ii. The units shall be certified to be in sound condition as a result of an inspection performed by a licensed building inspector.
 - iii. The municipality will provide a minimum of \$25,000.00 per unit to subsidize each moderate-income unit, and/or \$30,000.00 per unit to subsidize each low-income unit, with additional subsidy depending on the market prices or rents in a municipality.
 - iv. The maximum number of credible Market to Affordable units shall be equal to no more than ten for sale units and ten rental units, or a combined total of 10% of the Fair Share obligation, whichever is greater (additional units may be approved by COAH if the municipality demonstrates a successful completion of its initial Market to Affordable Program).
3. The units shall comply with N.J.A.C. 5:97-9 and U.H.A.C. with the following exceptions:
 - i. Bedroom distribution (N.J.A.C. 5:80-26.3(b) and (c);
 - ii. Low/moderate-income split (N.J.A.C. 5:80-26.3(a); and
 - iii. Affordability average (N.J.A.C. 5:80-26.3(d) and (e); however
 - A. The maximum rent for a moderate-income unit shall be affordable to households earning no more than 60% of the median income, and a maximum rent for a low- income unit shall be affordable to households earning no more than 44% of the median income;
 - B. The maximum sales price for a moderate-income unit shall be affordable to households earning no more than 70% of median income, and a maximum sales price for a low-

income unit shall be affordable to households earning no more than 40% of median income.

(c) Administrative Expenses (N.J.A.C. 5:97-8.9)

ADMINISTRATIVE EXPENSE CALCULATION		
Actual fees and interest thru 5/29/12		\$ 264,309.48
Projected Development Fees and interest 2012 thru 2018	+	\$ 252,840.00
Payments-In-Lieu of construction and other deposits thru 2018	+	\$ -
Less RCA expenditures thru 2018	-	\$ -
Total For Admin. Calculation, 1/1/2012 to 12/31/2018	=	\$ 517,149.48
20% Maximum for Admin Expense	x .20	\$ 103,429.89
Less Admin thru 5/29/12	-	\$ 15,780.80
Available for Admin 1/1/2012 Thru 12/31/2018	=	\$ 87,649.09

Raritan Borough projects that \$87,649.09 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

1. Administration of the Housing Rehabilitation Program
2. Administration of Market to Affordable Program

4. EXPENDITURE SCHEDULE

Raritan Borough intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units.

PROJECTS/ PROGRAMS	Number of Units Projected	Projected Expenditure Schedule 2012-2018							
		2012	2013	2014	2015	2016	2017	2018	Total
Rehabilitation	16	180,000	84,000	24,000	0	0	0	0	\$288,000.00
New Construction	0	0	0	0	0	0	0	0	0
									\$ --
Total	16	180,000	84,000	24,000	0	0	0	0	\$ 288,000.00

Affordability Assistance		0	0	0	0	\$44,186.73	\$44,186.73	\$44,186.73	\$ 132,560.19
Administration		36,000	16,800	4,800	0	8,837.35	8,837.35	8,837.35	\$ 84,112.05
Total		216,000	100,800	28,800	0	53,024.08	53,024.08	53,024.08	\$ 504,672.24

5. EXCESS OR SHORTFALL OF FUNDS

In the event that a shortfall of anticipated revenues occurs, the Borough will adopt a resolution of intent to bond for the projected shortfall of funds. A draft resolution of intent to bond is attached.

In the event more funds than anticipated are collected, projected funds exceed the amount necessary to implement the Fair Share Plan, or Raritan Borough is reserving funds for affordable housing projects to meet a future affordable housing obligation, these excess funds will be used to complete additional units through the Borough’s rehabilitation program.

6. BARRIER FREE ESCROW

Since it is anticipated that Raritan will not be building any new units, it does foresee the need to collect and distribute barrier free funds.

SUMMARY

Raritan Borough intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9

Raritan Borough has a balance of \$189,027.33 as of May 29, 2012 and anticipates an additional \$250,284.00 in revenues through 2018 for a total of \$441,867.33. The municipality will dedicate \$288,000.00 towards the housing rehabilitation program, \$132,560.19 to render units more affordable, and \$84,112.05 to administrative costs. Any shortfall of funds will be offset by an alternative funding source to be identified by the Borough. If no alternative funding is available, Raritan Borough will utilize the resolution of intent to bond to provide funding for housing rehabilitation.

SPENDING PLAN SUMMARY		
Balance as of May 29, 2012		\$ 189,027.33
PROJECTED REVENUE 2012-2018		
Development fees	+	\$ 250,000.00
Payments in lieu of construction	+	\$ -

Other funds	+	\$ -
Interest	+	\$ 2,840.00
TOTAL AVAILABLE FUNDS	=	\$ 441,867.33
PROJECTED EXPENDITURES 2012-2018		
Funds used for Rehabilitation		\$ 288,000.00
Funds used for New Construction		\$ -
1. N/A	+	\$ -
2.	+	\$ -
3.	+	\$ -
4.	+	\$ -
Affordability Assistance*	+	\$ 132,560.19
Administration **	+	\$ 84,112.05
Excess Funds or Remaining Balance Reserved for Additional Affordable Housing Activity	=	
1. N/A	-	\$
2.	-	\$
TOTAL PROJECTED EXPENDITURES	=	\$ 504,472.24
REMAINING BALANCE	=	\$ -62,604.91

RESOLUTION 2012-07-108

Council Member Lobell moved to approve the following Resolution 2012-07-108 and was seconded by Council President Gara. Motion carried by the following roll call vote.

A RESOLUTION EXPRESSING THE BOROUGH’S INTENT TO BOND IF A SHORTFALL OF FUNDS NECESSARY TO FULFILL THE BOROUGH’S AFFORDABLE HOUSING OBLIGATION OCCURS

WHEREAS, pursuant to N.J.A.C. 5:96-2.1, the Borough Council of the Borough of Raritan in Somerset County, New Jersey, endorsed a Housing Element and Fair Share Plan setting forth the Borough’s commitment to meeting its affordable housing obligation through 2018; and

WHEREAS, pursuant to N.J.A.C. 5:96-3.1, the Borough Council submitted its Third Round Housing Element and Fair Share Plan to the Council on Affordable Housing (“COAH”) on December 31, 2008; and

WHEREAS, the Third Round Housing Element and Fair Share Plan includes a Housing Rehabilitation Program and a Market to Affordable Program (collectively, “Affordable Housing Programs”) for which the Borough must demonstrate an adequate and stable funding source; and

WHEREAS, the Borough has established an affordable housing trust fund in order to support the Affordable Housing Programs; and

WHEREAS, if the affordable housing trust fund becomes insufficient to implement the Affordable Housing Programs, the Borough is prepared to address the shortfall.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Raritan that the Borough Council does hereby agree to fund any shortfalls in its affordable housing program by municipal bonding if there are no other resources; and

BE IT FURTHER RESOLVED that the Borough may repay debt through future collections of development fees, as such funds become available.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
	X	Gara	X			
		Giraldi	X			
X		Lobell	X			
		Soriano	X			
		Tozzi	X			

RESOLUTION 2012-07-109

Council Member Soriano moved to approve the following Resolution 2012-07-109 and was seconded by Council Member Giraldi. Motion carried by the following roll call vote.

AUTHORIZING SUBMISSION OF THE YEAR 2013 BRIDGEWATER/RARITAN MUNICIPAL ALLIANCE REQUEST FOR APPLICATION WITH SOMERSET COUNTY BOARD OF CHOSEN FREEHOLDERS IN THE AMOUNT OF \$37,782

WHEREAS, the Borough of Raritan, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Raritan Borough Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, Raritan Borough intends to apply for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Somerset; and

WHEREAS, the Grants Manager has recommended that this application be submitted to Somerset County;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan that:

1. The Mayor and Alliance Chairperson are authorized to sign the original of this grant application.
2. The Borough of Raritan is hereby authorized to submit an application for the Bridgewater-Raritan Municipal Alliance grant for calendar year 2012 in the amount of \$37,782.
3. The Borough of Raritan acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
4. The Borough of Raritan accepts subsequent award of this grant.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
		Gara	X			
	X	Giraldi	X			
		Lobell	X			
X		Soriano	X			
		Tozzi	X			

APPROVAL OF BILLS LIST

Council Member Giraldi made a motion to approve the Bills List and the motion was seconded by Council Member Tozzi. Motion carried by the following roll call vote.

BE IT RESOLVED that claims in the amount of \$657,612.16 having been listed on the Bill List and recorded in the files of the Borough Hall, and are hereby approved to be paid.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
		Gara	X			

X		Giraldi	X			
		Lobell	X			
		Soriano	X			
	X	Tozzi	X			

PURCHASE ORDER REQUESTS

1. Police Department: GTBM, Inc. in the amount of \$1,575.00

Council Member Lobell made a motion to approve the above purchase order request and the motion to approve was seconded by Council Member Soriano. Motion was carried by the following roll call vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
		Gara	X			
		Giraldi	X			
X		Lobell	X			
	X	Soriano	X			
		Tozzi	X			

2. Recreation/Administration: Corby Associates, Inc. in the amount of \$14,100.00

Council Member Tozzi made a motion to approve the above purchase order request and the motion to approve was seconded by Council Member Giraldi. Motion was carried by the following roll call vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
		Gara	X			
	X	Giraldi	X			
		Lobell	X			
		Soriano	X			
X		Tozzi	X			

3. Recreation: Somerset County Park Commission in the amount of \$2,030.00

Council Member Lobell made a motion to approve the above purchase order request and the motion to approve was seconded by Council Member Giraldi. Motion was carried by the following roll call vote.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
		Gara	X			
	X	Giraldi	X			
X		Lobell	X			
		Soriano	X			
		Tozzi	X			

COMMITTEE AND LIAISON REPORTS

Council President Gara offered the following report:

ENVIRONMENTAL COMMISSION

The Environmental Commission met on Wednesday, July 18, 2012. They are excited with the upcoming Riverfest and are looking forward to participating. Members are looking into what information and or giveaways that will be provided. The Environmental Commission has finalized the signage that will be placed on the trash/recycling receptacle down by the Nevius Street Bridge.

Green Team

The Green Team did not meet during the month of July due to many conflicting vacation schedules. We will be meeting next Wednesday, July 25 at 7pm.

ADMINISTRATION/PERSONNEL

We had our monthly department head meeting on June 21st and will be meeting this Thursday, July 19th.

MUNICIPAL BUILDING LANDSCAPING

Unfortunately, do to problems with our pools our landscaping in the front of the municipal building had to be postponed. We have spoken with the nursery and have been advised that it is not in our best interest to plant anything during these high temperatures. our plants are ready, the ground have been rototilled we just need to get a break in the heat then we can get things going out front. Thank you to Dan Laverti for preparing the front so nicely.

MISC.

In June, The Mayor, Councilman Tozzi, Councilwoman Carra and myself attended the ICS/Office of Emergency Management class for Executives given by the State of New Jersey, Department of Law & Public Safety, Division of State Police. It was an extremely informative class and I look forward to participating in the next round of courses offered by the State.

Friday Night several of us attended a dinner at Verve Restaurant in Somerville. Proceeds from the dinner went to the Somerset County Resource Center. It was a great night, fantastic food and wonderful company for a great cause.

PLANNING BOARD/MLUB

The Planning Board will be meeting tomorrow, Wednesday, July 25. Anyone interested in attending the Board meets in the Council Chambers promptly at 7:30 pm.

Council Member Giraldi reported on the Police Department and Recreation. He noted that there were no planned activities for National Night Out. Council Member Giraldi asked the Council's approval to post an advertisement to hire a police officer.

There were no objections to the advertisement.

Council Member Tozzi offered the following report:

LIBRARY. No meetings for July and August.

HISTORIC. Working on Basilone parade sites for exhibits of letters and war uniforms etc

GROUNDS. Dog park seems busy. All pools operating fine. Baseball fields and parks kept up great

Council Member Lobell reported for the Basilone Parade and the Rescue Squad.

Council Member Soriano reported for the Regional Center. He added that all the residents in the area north of Brooklyn Avenue are eligible for rain barrels.

Mayor Liptak reported on various items of correspondence. She read a letter from Governor Christie notifying the Borough of a NJDOT grant of award in the amount \$51,800.00.

OLD BUSINESS

None

NEW BUSINESS

Canal Park/Parking

Council President Gara suggested designating 6-8 parking stalls near the small tow bridge by ordinance and would like to meet with Mr. Schrek, Borough Engineer to discuss.

Mayor Liptak suggested Matthew D. Loper, County Engineer be invited to attend the meeting.

Council Member Lobell recommended also designating a space for an emergency vehicle.

The Council had no objections.

Recycling/Electronics

Council President stated that Somerset County would no longer be collecting electronic recycling. She added that Bob Fulminante, Recycling Coordinator contacted Newtech Recycling regarding their offer to place a dumpster at the Public Works facility for the collection of electronic recyclables, allowing Raritan to earn the credits for grants and was told there is no State contract for this service. Council President Gara requested that Mr. Fulminante be at the next Council meeting to discuss this project further.

Council Member Tozzi stated that he spoke with Council Member Soriano regarding street sweeping and DPW needs to set a better productive schedule of swiping the streets.

Mayor Liptak remarked that she would like to see the business owners police their sidewalks and keep the store front areas clear.

Council President Gara stated that is a provision in the most recently adopted property maintenance ordinance and advised the Mayor to speak with the property maintenance staff.

PUBLIC COMMENTS

Jim Foohey, 710 Rhine Boulevard, Raritan, NJ 08869: He questioned the Borough's decision on the proposed Somerset County Regional Policing Initiative. Mr. Foohey also questioned the type vehicles that would be allowed to park by the Canal Street bridge area and suggested new signs be posted.

Mayor Liptak informed Mr. Foohey of the passage of Resolution 2012-07-102 declining participation.

Council President Gara stated that the parking would be limited to cars, no trailers would be permitted.

Richard Yadlosky, 267 Weiss Terrace, Raritan, NJ 08869: He commended on the salary, towing and taxi ordinances.

Geraldine Brown, 34 West Somerset Street, Raritan, NJ 08869: She complained about the parking restrictions on Somerset Street and the recent ticketing. Ms. Brown expressed concern with the issuance of parking decals and the unfair restriction placed on Somerset Street residents.

Mayor Liptak and Mr. Jaxel responded to her concerns and noted that the parking permit ordinance was under review.

Marie Adler, 38 West Somerset Street, Raritan, NJ 08869: She also complained about the parking restrictions on Somerset Street and the recent ticketing. Ms. Adler stated that she was ticketed and has a handicapped parking permit.

EXECUTIVE SESSION

In public Mayor Liptak read the following resolution to enter into Executive Session.

RESOLUTION 2012-07-110

Council President Gara moved to approve the following Resolution 2012-07-110 and was seconded by Council Member Lobell. Motion carried by the following roll call vote.

EXECUTIVE SESSION

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

WHEREAS, the “Sunshine Law” requires that a closed session be authorized by resolution;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Raritan that the following portion of this meeting shall be closed to the public; and

BE IT FURTHER RESOLVED that the meeting shall be resumed at the end of closed session; and

BE IT FURTHER RESOLVED that the subjects to be discussed and the time of public release of the minutes of the closed session are indicated below:

SUBJECT MATTER

1. Personnel – Office of the Borough Clerk
2. Litigation
3. Attorney-Client Privilege

TIME WHEN AND THE CIRCUMSTANCES UNDER WHICH THE SUBJECT MATTER CAN BE DISCLOSED:

Upon authorization by the Borough Attorney

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra				X
X		Gara	X			
		Giraldi	X			
	X	Lobell	X			
		Soriano	X			
		Tozzi	X			

Council President Gara motioned to adjourn the Executive Session and to return to the normal order of business; the motion was seconded by Council Member Tozzi. Motion carried.

Council President Gara moved to authorize the Borough Attorney to draft a resolution to approve the Route 28 TWA Application subject to a contribution on the pump improvements and was seconded by Council Member Tozzi. Motion carried by the following roll call vote.

ADJOURNMENT

Council Member Giraldi made a motion to adjourn and was seconded by Council Member Tozzi. Motion was carried at 9:03 p.m.

Respectfully submitted,

Rayna E. Harris, Borough Clerk