

**BOROUGH OF RARITAN
REGULAR MEETING
SEPTEMBER 25, 2012**

The Regular Meeting of the Borough of Raritan Mayor and Council was held on September 25, 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: Denise Carra, Stefanie Gara, Paul Giraldi, Greg Lobell, and Donald Tozzi

Absent: Anthony Soriano

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

Councilwoman Denise Carra led the flag salute and invocation.

PUBLIC COMMENTS

Mayor Liptak read the following statement: 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.

Debra Thomas, 36 Canal Street, Raritan, NJ 08869: She read the following prepared statement.

Position Statement from Raritan Historical & Cultural Committee

To Raritan Borough Council:

The mission of our committee is to preserve the rich culture and history of Raritan, to educate the residents about our history, and to encourage a sense of belonging and pride in the community. To this end, we have been working to find a space where we can begin a museum of town artifacts. For the past several years we have looked extensively into and have discussed any buildings in town that might suit these needs. We had hopes for the train station, but after some months it became clear that it would not be made available to us. It has come to our attention that the second floor of the firehouse may soon become available with the installation of an elevator. This would be our best option. It already belongs to the borough, so there would be no lease or purchase costs, the space should be

adequate to our needs. The location of the firehouse is excellent for us since it is in the center of town and within easy walking distance of town hall and Somerset Street, and for visitors who might be here for the Basilone Parade. Also, the fact that the firehouse is an historical building works in our favor, reinforcing the richness of our history. We, the members of the Raritan Historical and Cultural Committee request that, should an elevator be attached to the firehouse to make it ADA accessible, a portion of the space on the second floor be allocated for our use as a museum.

Anthony DeCicco, 10 Anderson Street, Raritan, New Jersey 08869: He commented on a letter that was mailed about the site of the River Fest event and stated that if the site is a liability the Council should take action upon notice.

Mayor Liptak read the following statement.

First we had to deal with River Fest and Duck signs missing and now an anonymous and specious letter has been sent to homes in town via the United States Postal Service. In that letter the writer states that the River Fest “will be located on toxic ground that has been deemed extremely dangerous for years”

NOTHING COULD BE FURTHER FROM THE TRUTH! River Fest is being held on Green Cares/Open space land that is part of the Somerset County Park System and was once the Raritan Water Power Canal. People have used this space for recreation for more than 40 years with no ill effects. No one sitting here on this Dias, no group connected with the River Fest, or the County of Somerset would put anyone’s health and safety in jeopardy. It is impossible to comprehend the diabolical motivations of anyone or any group of people who would send out such a vile, lie filled, piece of trash. Cowards that they are, the letter was signed by a fictitious group calling themselves the “Environmental Committee” making it look as if it came from a borough authorized committee. No such committee exists. We have an Environmental Commission. The Somerset County Prosecutor’s Office and the United States Postal Service have been contacted as well as the Somerset County Park Commission, the Board of Chosen Freeholders and the Somerset County Counsel. When the writer of this letter is caught they will be prosecuted to the fullest extent of the law. I would HATE to think that this is politically motivated because the River Fest is a community event sponsored by the Raritan Borough Economic Development Committee to benefit the Steeplechase Cancer Center at Somerset Medical Center and the Raritan Borough Fire Department and IS NOT a vehicle of either political party.

Jim Foohey, 710 Rhine Boulevard, Raritan, NJ 08869: He commented on a letter that was mailed about the site of the River Fest event and questioned how many letters were sent, but noted that the letter did not come from the official Raritan Environmental Commission.

PROCLAMATION

Mayor Liptak read the Patriot Day 2012 proclamation from Governor Chris Christie.

Mayor Liptak read the following proclamation.

Proclamation

n

National Preparedness Month 2012

WHEREAS, "National Preparedness Month" creates a significant opportunity for every American to learn more about ways to prepare for all types of emergencies from potential terrorist attacks, to natural disasters; and

WHEREAS, emergency preparedness is the responsibility of every American; and

WHEREAS, all Americans can take a few simple steps getting a kit, making a plan, and being informed -in order to make citizen preparedness a priority in every community; and

WHEREAS, the U.S. Department of Homeland Security and other federal, state and local officials and the private sector are working to deter, prevent and respond to all types of emergencies; and

WHEREAS, these activities, along with an active American community, contribute to a level of national preparedness that is critical to securing homeland; and

WHEREAS, 2012 is the 11th Anniversary of the attack on 9111 where countless American citizens lost their lives; and

WHEREAS, as we observe "National Preparedness Month," I urge adults and children to participate in citizen preparedness activities, and to review the Department of Homeland Security's Ready campaign websites at www.ready.gov; or www.listo.gov for more information;

NOW, THEREFORE I, Jo-Ann Liptak, Mayor of the Borough of Raritan do hereby proclaim September 2012 as **NATIONAL PREPAREDNESS MONTH** in the Borough of Raritan and call upon the people of Raritan to recognize the importance for all potential emergencies, and to celebrate this month with appropriate events, activities, and preparedness programs.

APPROVAL OF MINUTES

Special Meeting February 8, 2011

Council President Gara made a motion to approve the above listed Minutes with corrections/additions 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	

RESOLUTIONS

RESOLUTION 2012-09-136

Council Member Lobell moved to approve the following Resolution 2012-09-136 and was seconded by Council Member Tozzi. Motion carried by the following roll call vote.

RAILROAD MONTHLY PARKING REFUND

WHEREAS, the Administrator has informed the Chief Finance Officer that the purchaser of a monthly railroad parking decal sticker has returned the unused portion of the sticker; and

WHEREAS, the purchaser of monthly parking decal sticker has requested the balance of the payment be refunded;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan that the Chief Finance Officer is hereby authorized to refund monthly railroad decal sticker payment to the following purchaser:

1. Jeffrey M. Ferris, 715 Carlene Drive, Bridgewater, NJ 08807; September to December 2012 - \$160.00
2. Catherine Marrion, 2 Timbers Court, Branchburg, NJ 08876; September to December 2012 - \$160.00
3. Frederick Warren, 37 Milltown Road, Bridgewater, NJ 08807; September 2012 - \$40.00

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

RESOLUTION 2012-09-137

Council President Gara moved to approve the following Resolution 2012-09-137 and was seconded by Council Member Giraldi. Motion carried by the following roll call vote.

DISPOSITION OF EQUIPMENT - ELECTRONICS

WHEREAS, the Borough Administrator has deemed certain property not needed for public use; and

WHEREAS, N.J.S.A. 40:11-36 provides that any contracting unit by resolution of its Governing Body may authorized the disposition of its personal property; and

WHEREAS, certain property specifically the items listed below:

1. Hewlett Packard 895 Deskjet printer.
2. Dell Dimension XPST500 computer, Serial No. 93WM8, Inventory Tag No. 686

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan the aforesaid property be and is hereby deemed no long needed for public use.

BE IT FURTHER RESOLVED that the Public Works Manager may arrange for disposition of said property.

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

		Soriano				X
		Tozzi	X			

RESOLUTION 2012-09-138

Council President Gara moved to approve the following Resolution 2012-09-138 and was seconded by Council Member Lobell. Motion carried by the following roll call vote.

AWARD OF CONTRACT FOR THE RECONSTRUCTION OF ORLANDO DRIVE RECONSTRUCTION

WHEREAS, bids for reconstruction of Orlando Drive were advertised to be received on September 20, 2012; and

WHEREAS, two bids were received; and

WHEREAS, the lowest bid was made by Z Brothers Concrete Contractors, 304 Jernee Mill Road, Sayerville, NJ 08872 in the amount of \$575,526.16;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Raritan, County of Somerset and State of New Jersey that the award of the contract for the Reconstruction of Orlando Drive be made to Z Brothers Concrete Contractors, 304 Jernee Mill Road, Sayerville, NJ 08872 for \$575,526.16.

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

RESOLUTION 2012-09-139

Council Member Carra moved to approve the following Resolution 2012-09-139 and was seconded by Council Member Tozzi. Motion carried by the following roll call vote.

AWARD OF THE CONTRACT FOR THE REHABITATON OF THE CANAL STEET SEWER SYSTEM

WHEREAS, bids for rehabilitation of the Canal Street Sewer System were advertised to be received on September 20, 2012; and

WHEREAS, three bids were received; and

WHEREAS, the lowest bid was for \$78,089.00 and made by National Water Main Cleaning Co., 875 Summer Avenue, Newark, NJ 07104;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Raritan, County of Somerset and State of New Jersey that award of the contract for the

rehabilitation of the Canal Street Sewer System be made to National Water Main Cleaning Co., 875 Summer Avenue, Newark, NJ 07104 for \$78,089.00.

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

RESOLUTION 2012-09-140

Council President Gara moved to approve the following Resolution 2012-09-140 and was seconded by Council Member Lobell. Motion carried by the following roll call vote.

**SUPPORTING SENATE BILL 1650 AND ASSEMBLY BILL 2463,
WHICH REVISES REQUIREMENTS FOR EMERGENCY MEDICAL SERVICES
DELIVERY**

WHEREAS, copies of Senate Bill 1650 and Assembly Bill 2463 was provided to the Mayor and Councilmembers of the Borough of Raritan; and

WHEREAS, the Somerville Rescue Squad supports the legislation along with the Somerset County EMS Chief Officer’s Association and County EMS Coordinators; and

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey hereby endorse and support Senate Bill 1650 and Assembly Bill 2463 which revises requirements for emergency medical services delivery.

BE IT FURTHER RESOLVED that copies of this Resolution are forwarded to the Governor of the State of New Jersey, our State Legislators, the League of Municipalities, and to our neighboring municipalities.

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

RESOLUTION 2012-09-141

Council Member Carra moved to approve the following Resolution 2012-09-141 and was seconded by Council Member Tozzi. Motion carried by the following roll call vote.

REFUND TAX OVERPAYMENT

WHEREAS, the Tax Collector advises that there exists a tax overpayments on various properties; and

WHEREAS, the Homeowners that made this payment have requested a refund; and

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Raritan, Somerset County and State of New Jersey that the Chief Financial Officer is directed to pay the following:

Valley National Bank for 11 Cardinal Way, Raritan, NJ 08869; Block 1 Lot 4.19 in the amount of \$3,085.42

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

APPROVAL OF BILLS LIST

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

BE IT RESOLVED that claims in the amount of \$622,879.59 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				
		Gara				
		Giraldi				
		Lobell				
		Soriano				
		Tozzi				

PURCHASE ORDER REQUESTS

Administration: RT Environmental Services in the amount of \$8,205.00

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

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

COMMITTEE AND LIAISON REPORTS

Council President Gara offered her report.

Council Member Giraldi reported for Police and Recreation.

Council Member Tozzi reported on the Basilone Parade, River Fest and the Library Board of Trustees. He thanked the Police and Public Works employees for their assistance on the parade.

Council Member Lobell reported for the Fire Department, Rescue Squad and Basilone Parade Committee. He also thanked the Police and Public Works employees for their assistance on the parade.

Council Member Carra reported for Administration and Finance, and the Municipal Court. She noted that the Economic Development Committee (EDC) is working on River Fest. Council Member Gara also thanked the Police and Public Works employees for their assistance on the parade.

Mayor Liptak offered her remarks of gratitude to the Basilone Parade committee. She also thanked the Police and Public Works employees for their assistance on the parade. Mayor then thanked Jim Foohey for his work on the Borough newsletter.

OLD BUSINESS

Council Member Giraldi suggested the Santa Comes to Town Event Recreation event be moved to the municipal building parking lot from the Quick Chek parking lot.

There was discussion on the move.

There were no objections by the Governing Body members to moving the event.

NEW BUSINESS

Council Member Tozzi noted that in the last ten (10) days there were no truck issues near the Char property.

Council Member Lobell stated that there are tree limbs in need of cutting near the jug handle coming off Route 202.

PUBLIC COMMENTS

No one spoke.

EXECUTIVE SESSION

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

RESOLUTION 2012-09-122

Council President Gara moved to approve the following Resolution 2012-09-142 and was seconded by Council Member Tozzi. 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. Litigation
2. Contract Negotiations
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			
		Lobell	X			
		Soriano				X
	X	Tozzi	X			

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

ADJOURNMENT

Council President Gara made a motion to adjourn and was seconded by Council Member Lobell. Motion was carried at 8:28 p.m.

Respectfully submitted,

Rayna E. Harris, Borough Clerk