

**BOROUGH OF RARITAN  
REGULAR MEETING**

The Regular Meeting of the Borough of Raritan Council was held on March 26, 2013 in the Municipal Building, 22 First Street, Raritan, New Jersey 08869 at 7:00pm.

**STATEMENT OF PUBLIC NOTICE**

Mayor Jo-Ann Liptak presided and stated: This Meeting of the Mayor and Borough Council was called pursuant to the provisions of the Open Public Meetings Law. Notices of this meeting were sent to The Courier News and the Star Ledger. In addition, copies of notices were posted on the bulletin board in the Municipal Building, on the Raritan Borough website and filed in the office of the Borough Clerk. Notices on the bulletin board have remained continuously posted. Proper notice having been given, the Borough Clerk is directed to include this statement in the minutes of this meeting.

**ROLL CALL**

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

Absent: None

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

**FLAG SALUTE AND INVOCATION**

Council Member Greg Lobell led the flag salute and invocation

Mayor Liptak offered a moment of silence for Mayor Gerald “Jerry” Mobus, Watchung Borough.

**PUBLIC COMMENTS**

Mayor Liptak read the following:

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.

No one spoke

**PRESENTATION**

2012 Workers’ Compensation Record Recognition

Daniel Jaxel introduced Donald Moore, Willis Insurance Company

Donald Moore presented Mayor and Council with a plaque to commemorate Raritan Borough’s excellent record for 2012.

**PROCLAMATIONS**  
Women's History Month

# *Proclamation*

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## **WOMEN'S HISTORY MONTH**

**WHEREAS** American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and

**WHEREAS** American women have played and continue to play a critical economic, cultural, and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and

**WHEREAS** American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and

**WHEREAS** American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our Nation; and

**WHEREAS** American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

**WHEREAS** American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all; and

**WHEREAS** despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history:

**NOW, THEREFORE**, I, Jo-Ann Liptak, Mayor of the Borough of Raritan, do hereby proclaim, that March is designated as "Women's History Month. I call upon the people of the Borough of Raritan to observe **March as Women's History Month** with appropriate programs, ceremonies, and activities.

**DATED:** March 26, 2013

# Proclamation

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## **GIRL SCOUT WEEK 2013**

**WHEREAS**, March 12, 2013, marks the 101st anniversary of Girl Scouts of the USA, founded by Juliette Gordon Low in 1912 in Savannah, Georgia; and,

**WHEREAS**, throughout its long and distinguished history, Girl Scouting has inspired millions of girls and women with the highest ideals of character, conduct, and patriotism; and,

**WHEREAS**, through Girl Scouting, girls gain courage, confidence and character who make their local communities and the world a better place; and,

**WHEREAS**, more than 3.2 million current Girl Scout members nationwide will be celebrating 101 years of this American tradition, with nearly 60 million women who are former Girl Scouts and living proof of the impact of this amazing Movement;

**NOW, THEREFORE, I** Jo-Ann Liptak, Mayor of the Borough of Raritan, by virtue of the authority vested in me, do hereby applaud the commitment Girl Scouting has made to America's girls and proudly proclaim the week of March 10-16, 2013 as Girl Scout Week.

# *Proclamation*

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*Office of the  
Mayor*

***Congratulating Jane Fidacaro***  
**2013 SCCSW Outstanding Women in Somerset County for  
Volunteerism**

**WHEREAS**, Jane Fidacaro is being honored by the Somerset County Commission on the Status of Women as the recipient of the 2013 Award for Volunteerism, and

**WHEREAS**, Jane has served the Borough of Raritan, The Catholic Church of St. Ann, and Somerset County in many varied roles, and

**WHEREAS**, Jane serves as an Extraordinary Minister of Holy Eucharist and a Lector in her parish of St. Ann, and

**WHEREAS**, she is a member of the Raritan Borough Cultural and Historic Committee and Vice-President of the Raritan Garden Club, and

**WHEREAS**, Jane is the Raritan representative to the Somerset County Cultural and Heritage Commission's Advisory Board and a volunteer with the Magic Mirror Players.

**NOW, THEREFORE BE IT RESOLVED**, by the Borough Council of the Borough of Raritan that the Mayor and Council congratulates Jane Fidacaro and commends her for her

outstanding service to the community and its residents, and extends to her their best wishes for all her future endeavors.

# *Proclamation*

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## **KIDNEY CANCER AWARENESS MONTH**

**WHEREAS**, one in nine American adults have CKD—that's 26 million Americans or 13 percent of the U.S. population—and most do not even know it; and

**WHEREAS**, 485,000 Americans have progressed to end stage renal disease (ESRD), requiring dialysis or a kidney transplant just to stay alive; and

**WHEREAS**, Diabetes and high blood pressure are the main risk factors for CKD; and

**WHEREAS**, Diabetes affects nearly 21 million Americans and within this group over 6 million who have diabetes do not even know it. Between 10-20 percent of all people with diabetes have kidney damage; and

**WHEREAS**, Early detection and education can help prevent the progression of kidney disease to kidney failure; and

**WHEREAS**, in NJ, kidney disease was the tenth leading cause of death; and

**WHEREAS**, Kidney Disease deaths are much higher among men than women, with black males having the highest death rates among all groups; and

**WHEREAS**, healthy kidneys are essential for regulating our bodies by removing fluids, waste, and toxins; kidneys release hormones that help regulate blood pressure, produce red blood cells and strengthen our bones; and,

**WHEREAS**, the precise cause of kidney cancer is unknown, however the two main causes of kidney failure are diabetes and high blood pressure; diabetes and high blood pressure are responsible for more than 70 percent of all kidney failure cases, showing that kidney failure and disease can often be delayed or prevented; and,

**NOW, THEREFORE**, I, Jo-Ann Liptak, Mayor of the Borough of Raritan, do hereby proclaim March 2013 as Kidney Cancer Awareness Month and Thursday, March 14, 2013 as World Kidney Day in Raritan.

# *Proclamation*

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## **BRAIN INJURY AWARENESS MONTH**

**WHEREAS**, 1.7 million Americans sustain a traumatic brain injury (TBI) each year; and

**WHEREAS**, a traumatic brain injury is a contributing factor to a third of all injury-related deaths in the United States; and

**WHEREAS**, these injuries are largely the result of motor vehicle crashes, falls, assaults, sporting- related injuries or occupational injuries; and

**WHEREAS**, traumatic brain injury is the signature injury of the war in Iraq and Afghanistan, presenting new challenges for members of the military and their families; and

**WHEREAS**, an injury that happens in an instant can bring a lifetime of physical, cognitive and behavior challenges; and



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

3. Agenda-Workshop Meeting – October 9, 2012

Council Member Lobell motioned to approve Agenda-Workshop Meeting Minutes for October 9, 2012, seconded by Council Member Giraldi. Motion 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			

4. Agenda-Workshop Meeting – November 20, 2012

Council Member Lobell motioned to approve Agenda-Workshop Meeting Minutes for November 20, 2012, seconded by Council Member Giraldi. Motion 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			

5. Special Meeting – October 25, 2012

Council Member Gara motioned to approve Special Meeting Minutes for October 25, 2012, seconded by Council President Tozzi. Motion carried by 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			

6. Executive Session – November 20, 2012

Council Member Carra motioned to approve Executive Session for November 20, 2012, seconded by Council Member Giraldi. Motion carried by the following roll call vote.

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

7. Executive Session – December 18, 2012

Council Member Lobell motioned to approve Executive Session for December 18, 2012, seconded by Council President Tozzi. Motion carried by the following roll call vote.

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

Stanley Schrek out of meeting @7:16pm

Stanley Schrek returned @7:19pm

**INTRODUCTION OF ORDINANCES**

**Ordinance 2013-04**

Council Member Gara motioned to **Introduce Ordinance 2013-04** seconded by Council Member Carra. Motion carried by the following roll call vote.

**An Ordinance Amending the Raritan Borough Code by Amending Alcoholic Beverage License Fees in Article I of Chapter 83**

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

**Ordinance 2013-05**

Council Member Gara motioned to Introduce Ordinance 2013-05 seconded by Council Member Carra. Motion carried by the following roll call vote.

**Calendar Year 2013 Ordinance to Establish a Cap Bank (N.J.S.A. 40a:4-45.14)**

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

These ordinances will be considered for final passage after public hearing thereon at a meeting of said Borough Council to be held in the Municipal Building, 22 First Street, Raritan, New Jersey, on Tuesday, April 23, 2013 at 7:00 PM or at any time and place to which the meeting for the further consideration of the ordinance shall be adjourned.

**INTRODUCTION OF THE CY 2013 MUNICIPAL BUDGET**

Council Member Lobell motioned to **introduce CY2013 Municipal Budget** seconded by Council President Tozzi. Motion carried by the following roll call vote.

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

**RESOLUTIONS**

**RESOLUTION 2013-03-041**

Council Member Carra motioned to approve **Resolution 2013-03-041** seconded by Council President Tozzi. Motion carried by the following roll call vote.

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER**

**WHEREAS**, at the Municipal Tax Sale held on November 20, 2013 a lien was sold on Block 43 Lot 13 also known as 212 Bell Ave. in Raritan, for 2011 delinquent taxes charges; and

**WHEREAS**, this lien known as Tax Sale Certificate #12-00005 was sold to U.S. Bank Custodian for Phoenix at 15% interest; and no premium; and

**WHEREAS**, Wells Fargo bank has effected redemption of Certificate 12-00005 in the amount of \$ 8,891.14;

**NOW, THEREFORE BE IT RESOLVED** that the Chief Finance Officer be authorized to issue one check one in the amount of \$8,887.06 payable to U.S. Bank Custodian for Phoenix 2

Liberty Place TLSSG, 50 So 16<sup>th</sup> St. Suite 1950, Philadelphia, PA 19102 for the redemption of tax sale certificate # 12-00005.

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

**RESOLUTION 2013-03-042**

Council Member Gara motioned to approve **Resolution 2013-03-042** seconded by Council Member Lobell. Motion carried by the following roll call vote.

**RAILROAD MONTHLY PARKING REFUND**

**WHEREAS**, the Administrator has informed the Chief Financial Officer that the purchaser(s) of a monthly railroad parking decal sticker has returned the unused portion of the sticker; and

**WHEREAS**, the purchaser(s) 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(s):

Dipika Kapadia, 7 Raker Court, Hillsborough, NJ 08844  
 April 2013 - \$40.00

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

**RESOLUTION 2013-03-043**

Council Member Gara motioned to approve **Resolution 2013-03-043** seconded by Council President Tozzi. Motion carried by the following roll call vote.

**APPOINTMENT OF PATROLMAN**

**WHEREAS**, Andrew Ragati was appointed to the position of probationary patrolman in the Raritan Borough Police Department by resolution on September 17, 2012 by Resolution 2012-09-133; and

**WHEREAS**, in accordance with Chapter 45-20 of the Code of the Borough of Raritan, states that each person with prior police service and training shall serve as a probationary patrolman for period of six (6) months;

**WHEREAS**, Andrew Ragati had prior police service and has completed the six (6) month probationary term; and

**WHEREAS**, Chief Mark Ciesla has recommended Andrew Ragati for appointment to the position of permanent patrolman;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Raritan that Andrew Ragati is appointed to the position of permanent patrolman in the Police Department effective immediately.

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

**RESOLUTION 2013-03-044**

Council Member Lobell motioned to approve **Resolution 2013-03-044** seconded by Council Member Gara. Motion carried by the following roll call vote.

**RESOLUTION OF CONTINUING SUPPORT FOR THE GOALS AND PURPOSES OF THE 2004 HIGHLANDS WATER PROTECTION AND PLANNING ACT**

**WHEREAS**, New Jersey Highlands Water Protection and Planning Act was enacted in order to protect the State’s water supplies and other significant resources; and

**WHEREAS**, The Highlands Act was passed with overwhelming bipartisan support in both the New Jersey State Senate and New Jersey State Assembly; and

**WHEREAS**, in 2008, the New Jersey Highlands Water Protection and Planning Council adopted the New Jersey Highlands Regional Master Plan, and proceeded with its implementation through a Plan Conformance process; and

**WHEREAS**, the Borough of Raritan is a municipality that receives all or a portion of its drinking water from sources within the in the Highlands Region; and that Raritan relies on the resources of the Highlands to meet the current and future needs of its residents;

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Borough of Raritan wishes that it is known that we strongly support the goals, policies and objectives of the 2004 Highlands Water Protection and Planning Act and the Highlands Regional Master Plan.

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

**RESOLUTION 2013-03-045**

Council Member Gara motioned to approve **Resolution 2013-03-045** seconded by Council Member Lobell. Motion carried by the following roll call vote

**A RESOLUTION OPPOSING PROPOSED LEGISLATION A-3553 ESTABLISHING AN EARLY VOTING PROCESS FOR CERTAIN ELECTIONS**

**WHEREAS**, Assembly Bill A-3553 proposes to expand the opportunities for registered voters to cast their ballots at an election within the State of New Jersey; and

**WHEREAS**, the goal of accommodating voters in pursuit of greater participation in the democratic process is a worthy goal; but

**WHEREAS**, the said bill as it is currently drafted involves proposals that would increase workloads, add more costs to the election process, and ultimately serve to confuse voters more than it would accommodate their needs; and

**WHEREAS**, the opportunity for “Early Voting” already exists in the State of New Jersey through the Vote by Mail ballot process;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Raritan, in the County of Somerset does hereby oppose Bill A-3553 for the following reasons:

1. Current State Law provides that the County Clerk shall mail Sample Ballots for Primary Election on or before 12 noon on Wednesday preceding election (N.J.S.A. 19:23-34). The proposed Bill requires polling places to be open beginning 15 days before an election. This bill creates an inherent conflict between the date upon which the County Clerk is required to mail sample ballots and the date upon which sample ballots must be posted in polling places. It creates a situation in which the County Clerk will be obligated to mail sample ballots to voters, inviting them to come vote on Election Day, who will have already cast their votes, creating confusion for the average voter and citizen. It will also pressure county Clerks to have sample ballots available earlier than the statutory date upon which said sample ballots need to be provided to the general public via mail.
2. The requirement that a single polling place must be kept open ten hours a day, Monday through Saturday, and on Sundays for 8 hours, beginning 15 days before an election up until 2 days before an election will create additional expense on County Boards of Election, who will be required to staff this said polling place with poll workers who will be required to handle voters that come from every voting district within a municipality as opposed to a single voting district at each polling place on election day.

3. The bill would require complete re-training of poll workers on how to handle paper ballots on the Early voting days as opposed to the electronic voting done on Election day; hiring new poll workers and training them will be required to staff the early voting locations; costs will be incurred in transporting election materials to and from each early voting location every day in order to maintain chain of custody for protecting the integrity of the ballots cast; Overtime costs would be incurred for staffing the Board of Elections offices each day and each evening; all of which adds up to an estimated additional expense exceeding \$150,000 per election.
4. The Bill creates a conflict for Municipal clerks who are required, by law, to be in their offices during the hours that polls are open for an election.
5. The Bill requires a central location be utilized the early voting polling place. In many instances, this will require the use of the municipal building for seven days a week, for two weeks prior to the election, for up to 12 hours a day. This creates an inherent conflict with already-scheduled court sessions, meetings of governing bodies, meetings of various boards such as Planning Boards, Zoning Boards, Recreation Commissions, and Boards of Health, which will require re-scheduling and postponing hearings on applications before those bodies, in turn creating inconvenience for the general public, and increased costs for the municipality.
6. This represents an unfunded mandate, creating unnecessary additional burden and expense on the county and local levels of government, and provides no meaningful increase in the opportunity for New Jersey voters to “vote early” because current state law and established procedures allow a voter to download a Vote By Mail Ballot application, mail in that application, receive a Vote by Mail ballot, and cast their ballot, without ever having to leave their own home or business location.

**BE IT FURTHER RESOLVED** the governing body of the Borough of Raritan does hereby call upon its representatives in the State Legislature to oppose the adoption of this bill.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be sent to the Office of the Governor, the Sponsors of Bill A-3553, Senator Steven V. Oroho, Assemblywoman Alison Littell McHose, and Assemblyman Gary R. Chuisano, the Somerset County Board of Elections, the Somerset County Board of Chosen Freeholders, and the New Jersey League of Municipalities and the Municipal Clerks’ Association of New Jersey.

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

**RESOLUTION 2013-03-046**

Council Member Gara motion to approve **Resolution 2013-03-046** seconded by Council Member Carra. Motion carried by the following roll call vote.

**A RESOLUTION STATING OPPOSITION TO SENATE BILL S2 FORCING THE IMPLEMENTATION OF SHARED SERVICES**

**WHEREAS**, Senate Bill S2 sponsored by Senators Sweeney, Kyrillos, and O'Toole, was adopted by the NJ Senate on November 29, 2012; and

**WHEREAS**, said legislation provides for a loss of State Aid in order to force municipalities and autonomous agencies to share services. If the Local Unit Alignment and Reorganization and Consolidation Commission certifies that a shared service will benefit a municipality, the municipality would be required to adopt the shared service or to place it before the voters unless objected to by the Legislature. If the municipality fails to implement the shared service, it could result in a loss of State Aid equal to the amount of the estimated savings as determined by the Local Unit Alignment, Reorganization, and Consolidation Commission and certified by the State Treasurer; and

**WHEREAS**, the Governing Body of the Borough of Raritan is of the opinion that while shared services may be beneficial, a decision to implement a shared service must be made on a case by case basis evaluating all factors relevant to the particular shared service; and

**WHEREAS**, the local governing bodies, and not a State Appointed Commission, should be responsible for determining whether a shared service initiative should be implemented; and

**WHEREAS**, State Aid should be determined based upon a long term evaluation of the municipalities' tax rate and management approach and not by directing such activities such as a shared service; and

**WHEREAS**, members of the Governing Body have contacted the local legislative delegation regarding our concerns; and

**WHEREAS**, this legislation has been referred to the New Jersey State General Assembly;

**NOW THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Raritan, in Somerset County, NJ, that it rejects the S2 bill. The Borough of Raritan requests that the General Assembly not enact the Bill as this legislation forces municipality to share services when said shared services may not be in the best interests of that municipality.

**BE IT FURTHER RESOLVED** that a copy of this duly adopted resolution be forwarded to Senate President Stephen Sweeney, Assembly Speaker Shelia Oliver, the Legislators of the 23<sup>rd</sup> State Legislative District, Governor Chris Christie, the New Jersey State League of Municipalities.

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

**RESOLUTION 2013-03-047**

Council Member Lobell motion to approve **Resolution 2013-03-047** seconded by Council Member Soriano. Motion carried by the following roll call vote.

**RESOLUTION REQUESTING THAT THE NEW JERSEY BOARD OF PUBLIC UTILITIES HOLD HEARINGS ON PUBLIC SERVICE ELECTRIC & GAS COMPANY'S AND JERSEY CENTRAL POWER & LIGHT'S RESPONSE TO SUPER STORM SANDY AND TAKE THE APPROPRIATE ACTION AND OPPOSING JCP&L's REQUEST FOR A RATE INCREASE**

**WHEREAS**, the Borough of Raritan, as well as hundreds of municipalities across the State of New Jersey, were without power ranging from a few days to over two weeks as a result of Super Storm Sandy, which struck the State on Monday, October 29, 2012; and

**WHEREAS**, Super Storm Sandy caused devastation across the State in the form of downed power lines and trees, flooding, road closures, closed businesses and schools as well as disruption to transportation infrastructure and hubs; and

**WHEREAS**, the weather forecasts ahead of Super Storm Sandy, as well as communications from the State of New Jersey Office of Emergency Management, warned of the coming storm and the damage that it could inflict upon the State and that all utility companies should be prepared; and

**WHEREAS**, the Borough was severely impacted by Super Storm Sandy; and

**WHEREAS**, it is clear to the Governing Body and residents of the Borough that the infrastructure that PSE&G and JCP&L were charged to maintain -utility poles, transformers, substations and wiring, failed and that each utility was totally unprepared for Super Storm Sandy notwithstanding the prior warnings; and

**WHEREAS**, PSE&G and JCP&L are public utilities as defined by State law and subject to the jurisdiction of the New Jersey Board of Public Utilities and remain bound by the BPU's rules, regulations and policies, as well as all applicable requirements of the New Jersey Administrative Code, which specifically address electrical utilities, plants, facilities and services; and

**WHEREAS**, under N.J.A.C. 14:3-3.1, each utility has an affirmative duty to provide users with "safe, adequate and proper service, including furnishing and performance of service in

a non-discriminatory manner; and in a manner that tends to conserve energy resources; and preserve the quality of the environment and the quality of life"; and

**WHEREAS**, the Governing Body finds that PSE&G and JCP&L failed to provide that service in the length of time it took to restore the Borough to full power; and

**WHEREAS**, in light of the burden the loss of electricity has caused Borough residents the Governing Body opposes any rate increase and calls upon the Division of Rate Counsel to oppose the rate increase on behalf of Borough residents.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Raritan in the County of Somerset, State of New Jersey, requests the New Jersey Board of Public Utilities to hold hearings on PES&G's and JCP&L's responses to Super Storm Sandy to solicit public comment and, following such hearings, to take the appropriate action as the BPU may be authorized by State law and regulations; and

**BE IT RESOLVED** that the Governing Body of the Borough of Raritan opposes any rate increase request by PSE&G and/or JCP&L; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be sent to BPU President Robert Hanna, Board of Public Utilities Commissioners, Division of Rate Counsel, the Legislators of the 23<sup>rd</sup> State Legislative District, all Somerset County Municipalities and the New Jersey State League of Municipalities.

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

**RESOLUTION 2013-03-048**

Council Member Carra motioned to approve **Resolution 2013-03-048** seconded by Council Member Gara. Motion carried by the following roll call vote

**A RESOLUTION ESTABLISHING THE JOB DESCRIPTION OF THE LABORER IN THE DEPARTMENT OF PUBLIC WORKS**

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Raritan, County of Somerset and State of New Jersey that the job description of the Laborer in the Department of Public Works is hereby established and shall become effective immediately upon passage of this resolution as follows:

**DEFINITION:**

Under the supervision of the Public Works Superintendent or designee, performs varied types of manual and basic laboring work. A Public Works Laborer is responsible for the operation of a variety of construction and maintenance equipment and for performing manual labor activities as

needed and/or required by the Public Works Department; included activities are sanitation, road maintenance, park maintenance, signage, sewer repairs, and does other related duties as required and directed.

**REQUIREMENTS:**

1. Ability to read, write, speak, understand, and communicate in English sufficiently to perform the duties of this position
2. Must have obtained a certificate or diploma, issued after at least four years of study in an approved secondary school or have received an academic education considered as fully equivalent
3. Must have experience in the construction, maintenance and repair of street, sewer, water, sanitation or other public works facilities or similar heavy construction or maintenance work
4. Good health and freedom from disabling physical and mental defects which would impair the proper performance of the required duties or which might endanger the health and safety of oneself or others
5. Appointee will be required to possess a basic automobile driver's license valid in New Jersey

**DUTIES:**

The following shall be examples of the scope of the Laborer's duties and job responsibilities:

1. Reports to the Public Works Foreman
2. As directed by and under the supervision of the Foreman in charge, performs the following:
  - a. Performs manual labor
  - b. Performs preventative maintenance on equipment which includes but is not limited to lubrication, light repairs, and cleaning
  - c. Sweeping and clean-up of debris and materials from roads
  - d. Clears all ice and snow manually and by use of snow removal/spreading equipment in a safe and proficient manner
  - e. Performs maintenance to facilities per accepted practices
  - f. Performs the necessary maintenance to all grounds in a safe and proficient manner
  - g. Perform heavy manual labor, including lifting heavy objects and working in all types of weather conditions
  - h. Mow grass, plant and/or prune trees, flowers and hedges
  - i. Clean up litter and empty trash cans
  - j. Maintenance of sanitary and storm sewers and/or conducting routine maintenance procedures

**EXAMPLES OF WORK:**

1. Loads, lifts, and moves supplies, furniture, and equipment

2. Digs trenches and does manual grading
3. Collects rubbish and other refuse
4. Cuts grass, trims hedges and waters lawns, flowers, and vegetable beds; cleans up underbrush, foliage, vines, and weeds; cuts down trees; and digs out stumps of trees, and digs out and destroys poisonous vines, weeds and undergrowth
5. Loads and unloads trucks
6. Shovels snow
7. Whitewashes walls
8. Shovels gravel and sand; mixes cement and mortar; and places forms used in concrete work
9. Performs cold patching
10. Pries and hammers apart sections of wall and roof.
11. Loads debris into truck for removal
12. Sorts, piles, and cleans salvageable brick, stone, lumber, and metal work
13. Occasionally drives trucks

**KNOWLEDGE AND ABILITIES:**

1. Knowledge of the proper procedures used in making routine repairs to water and sewage lines and equipment and in the construction, masonry, maintenance and repair of streets
2. Ability to keep a daily log of work performed
3. Knowledge of procedures used in making routine repairs to water and sewer equipment and in the construction, maintenance, and repair of streets
4. Skilled in the proper usage of safety precautions as they pertain to public works equipment and vehicles
5. Ability to operate light to heavy dump trucks in a safe and proficient manner Ability to operate grounds maintenance equipment in a safe and proficient manner
6. Ability to make minor mechanical, electrical, and plumbing repairs per accepted practices
7. Ability to maintain and perform preventative maintenance on all equipment used by the Department

8. Knowledge of maintenance of streets, maintenance of facilities, and operations/repairs of water and sewer systems
9. Knowledge of the methods, materials and supplies used to perform varied types of manual and unskilled tasks
10. Ability to perform manual tasks either alone or as a member of a group
11. Ability to perform heavy manual labor for prolonged periods of time under varying temperatures and climatic conditions
12. Ability to follow prescribed instructions
13. Ability to learn to use the tools and equipment needed to perform routine, basic labor tasks
14. Ability to follow safety precautions in the operation of assigned tools and equipment

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

**RESOLUTION 2013-03-049**

Council Member Gara motioned to approve Resolution 2013-03-049 seconded by Council Member Giraldi. Motion carried by the following roll call vote.

**AWARD OF HOUSING IMPROVEMENT BIDS**

**WHEREAS**, the Borough of Raritan invited bids for rehabilitation of 103 Thompson Street and 4 Berwick Street, Raritan pursuant to the Borough’s Affordable Housing Rehabilitation Program; and

**WHEREAS**, the Borough received and opened bids on March 19, 2013; and

**WHEREAS**, the Borough has determined that the lowest qualifying bidders are:

103 Thompson Street, Hayden Construction Group, in the amount of \$26,450.00;

4 Berwick Street, Edge Property Maintenance, Inc., in the amount of \$5,325.00; and

**NOW, THEREFORE**, be it resolved by the Borough Council of the Borough of Raritan as follows:

1. The Borough Council hereby awards contracts to:

Hayden Construction Group, in the amount of \$26,450.00 for rehabilitation of 103 Thompson Street,

Edge Property Maintenance, Inc., in the amount of \$5,325.00 for rehabilitation of 4 Berwick Street;

pursuant to the attached Purchase Order Requests; and

3. The Mayor and Borough Clerk are authorized and directed to execute the above contracts.

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

**APPROVAL OF BILLS LIST**

Council Member Carra motioned to approve the **Bills List** seconded by Council Member Lobell. Motion carried by the following roll call vote.

**APPROVAL OF BILLS LIST**

**BE IT RESOLVED** that claims in the amount of \$2,282,582.55 having been listed on the Bills List and recorded in the files of the Borough Hall, and are hereby approved to be paid.

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

Council Member Gara asked if any information has been received from FEMA in reference to reimbursements.

Daniel Jaxel replied not yet, it could be months before we hear anything. He added we are still sending in bills for reimbursement.

**PURCHASE ORDER REQUESTS**

1. Queues Enforth Development in the amount of \$2,889.00

Council Member Gara motioned to approve the above purchase order request in the amount of \$2,889.00 seconded Council Member Lobell. Motion carried by 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			

2. Kollmer Equipment in the amount of \$2,690.00

Council President Tozzi motioned to approve the above purchase order request in the amount of \$2,690.00 seconded by Council Member Giraldi. Motion 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. Halecon in the amount of \$2,500.00

Council Member Lobell motioned to approve the above purchase order request in the amount of \$2,500.00 seconded by Council President Tozzi. Motion carried by the following roll call vote.

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

Stanley Schrek noted as of last week DPW was putting these together. He added what was the issue.

Daniel Jaxel replied DPW tried a number of times with a number of people they were having trouble with assembling the bleachers.

Council President Tozzi asked if the bills were sent to FEMA.

Daniel Jaxel replied they were sent to FEMA and our Insurance Company but do not know if they will be covered.

4. Paternoster Contracting, INC. in the amount of \$2,050.00

Council Member Lobell motioned to approve the above purchase order request in the amount of \$2,050.00 seconded by Council President Tozzi. Motion carried by the following roll call vote.

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

## COMMITTEE AND LIAISON REPORTS

### Historic Committee

Council President Tozzi commented the Committee may do fund raising by doing a walk through Raritan Borough.

### River fest

Council President Tozzi noted preparations are going very well. He added Middle Earth may be able to replace YOMS kids to cleanup Somerset Street they get points for volunteering.

### Basilone Parade Committee

Council Member Giraldi noted a number of Committee Members met last week with Council Member Gara, Council Member Lobell and Mark Anderson about finances and separation. He added the Committee will present the information to the entire Committee.

### Police Department

Council Member Gara read a letter from Duke Farms Foundation about their contribution to the Police Department for 2013. She added Sunday March 10<sup>th</sup>, and March 11<sup>th</sup> was the Active Shooter Training at JFK School. She read the monthly activity report for the month of February 2013.

### Economic Development Committee

Council Member Gara noted the Committee met to discuss their role in expediting the Borough's vision of Orlando Drive.

### River Fest

Council Member Gara noted the Duck Race is moving forward.

### BOH

Council Member Carra read the Registrar's Report. She added on May 19, 2013 the Mobile Health Screening will be at St Ann's Church. She read a Health Advisory Report for Asbestos cleanup for Hurricane Sandy. She thanked Council President Tozzi and Council Member Gara for the Borough calendar.

**Environment Committee**

Council Member Soriano noted the committee is working on Sustainable New Jersey certification. He added April 28, 2013 is Earth Day and a river cleanup is planned.

**Recreation Committee**

Council Member Lobell read the finance report and the sports sign up report. He added every year we spend a lot of money to announce the opening of various events. He suggested a digital sign maybe placed at the Library for their events and Recreations events. He added the Easter Egg Hunt went very well the Duck was also present. He noted some changes have been made to accommodate the change in numbers of the soft ball teams.

**Seniors**

**No report was given**

Mayor Liptak congratulated the Recreation Committee on the Easter Egg Hunt and wished everyone a Happy Easter and Passover. She commented on the Active shooter Training being very informative. She added Friday March 21<sup>st</sup> she attended a meeting with the New Jersey Department of Transportation who have a study on Route 202 corridor from Hunterdon to Somerville. She added the discussion was on various modes of transportation.

**OLD BUSINESS**

Council President Tozzi noted the calendars were mailed out this week. He thanked Ron Rispoli for all the photos he provided for the calendar and the other events he provided photos for.

Council Member Soriano suggested having a Green Team in the Borough will give the Environmental committee sustainable points. He added we need to reestablish the Green Team and reevaluate the members.

Council Member Gara replied she received updated information about the Green Team from David Maski; Director of Planning Services, Van Cleff Engineering Associates. She added will get that information to you.

Stanley Schrek added when you receive the information from Dave Maski we will meet to discuss his proposals and make everything more functional.

Daniel Jaxel noted receiving information for the painting of the Anderson Street Fire House from James Knowles, Knowles Painting Company. He added he will meet with Wayne Zedowski, Wayne Tree Service.

**NEW BUSINESS**

Council President Tozzi noted the grand opening of Gold Digger on March 22, 2013. He added the flea market is still being worked on and may be starting in May 2013.

**PUBLIC COMMENTS**

Mayor Liptak read the following:

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 Yadowski, 267 Weiss Terrace, Raritan, New Jersey 08869: Asked when Mayor and Council opposes Legislation either pro or con is the State make aware of this.

Mayor Liptak answered yes they are made aware.

Richard Yadowski asked what happened to the lawn mower that involved former Mayor Possessky that was sitting at DPW unused.

Mayor Liptak replied this will be looked into, no information at this time.

Richard Yadowski noted these question should be answered this was once a new piece of equipment. He added as far as the Library is concerned the Library should be closed and the people should make the final decision. He suggested this is now a political football.

James Foohey, 710 Rhine Blvd., Raritan, New Jersey 08869: Commented on the lawn motor asking the price and if there was restitution paid to the Borough. He added this is a shame it has languished all those years. He thanked Officer Katherine Sausa for all her help after Mr. Foohey's Mother fell and Officer Sausa was first on the scene.

Council Member Tozzi replied he would look into the where about of the lawn mower in question.

Thomas Brown, 18 Elmer Street, Raritan, New Jersey 08869: Noted Former Mayor Anthony Hudak formed an Investigative Committee which I was a part of and we did extensive interviewing. He added the final report was presented to the Borough of Raritan and should be on file. He added restitution was paid and part of the agreement was Mr. Possessky would take possession of the property after that was paid.

### **EXECUTIVE SESSION**

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

### **RESOLUTION 2013-03-050**

Council Member Gara motioned to approve the following Resolution 2013-03-050 seconded by Council President Tozzi. Motion carried by the following roll call vote at 8:05pm.

### **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 – Library and Public Works
2. Contract Negotiations
3. Litigation – Members of the Library Board of Trustees and Gannett
4. 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 President Tozzi motioned to adjourn the Executive Session and return to the normal order of business, seconded by Council Member Gara. Motion carried.

**ADJOURNMENT**

Council Member Gara motioned to adjourn seconded by Council Member Giraldi. Motion carried at 9:24pm.

Respectfully submitted,

Rayna E. Harris, Borough Clerk

REH/cmd