

**BOROUGH OF RARITAN
AGENDA-WORKSHOP MEETING**

The Agenda-Workshop Meeting of the Borough of Raritan Council was held on April 9, 2013 in the Municipal Building, 22 First Street, Raritan, New Jersey 08869 at 7:00pm.

STATEMENT OF PUBLIC NOTICE

Mayor Jo-Ann Liptak read the following notice: This meeting is 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 on January 6, 2013. 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 Jo-Ann Liptak: Daniel Jaxel, Borough Administer; Stanley Schrek, Borough Engineer; Mark Anderson, Borough Attorney; Jolanta Maziarz, Alternate Borough Attorney; Mark Ciesla, Chief of Police, and Rayna E. Harris, Borough Clerk

FLAG SALUTE

Mayor Jo-Ann Liptak led the flag salute

APPOINTMENTS

Council President Tozzi motioned to approve the above Appointments to the Abuse Solid Waste Advisory Committee, seconded by Council Member Carra. Motion carried by the following roll call vote.

Abuse Solid Waste Advisory Committee

Bob Fulminante, Foreman Public 1/1/13 to
Works 12/31/13
Stefanie Gara, Council Member 1/1/13 to
12/31/13

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

PURCHASE ORDER REQUEST

Tri-State Aquatic Lifts in the amount of \$12,418.00

Council Member Lobell expressed concern with the expense of purchasing lifts for each pool.

Mayor Liptak replied we are required to have a lift at each of the pools.

Council Member Lobell motioned to approve the above purchase order for \$12,418.00 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			
X		Lobell	X			
		Soriano	X			
		Tozzi	X			

DISCUSSION

ENGINEER’S REPORT

Stanley Schrek gave the following report:

Johnson Drive Improvements

We are still awaiting a determination from the bonding company as to how dismissal of Buckler Associates will be resolved. The Borough Attorney may offer comment on this.

Orlando Drive Improvements

A conflict has developed which is delaying the start date. We need to coordinate with a State project on Route 206. A coordination meeting is scheduled for Wednesday, April 10.

2012 County Planning Grant

We are awaiting an earlier study that details the present condition of the statue.

2011 Sanitary Sewer Project

Video inspection of the sewer main has been completed. We are reviewing the tapes and will advise of necessary repairs.

Sherman Avenue Sidewalks

Bids were received on April 4. Of 9 bids received, PA Contractors of Kearney, NJ is the lowest responsible bidder with a total base bid of \$70,896.50. Bids ranged from the low bid to a high of

\$108,905.00. The Engineer's Estimate is \$99,907.25. PA Contractors has recently completed sidewalks on Third Street and performed satisfactorily. It is recommended that the contract be awarded to PA Contractors in the amount of \$70,659.75. This project is fully funded through the CDBG program.

In anticipation of the award, we have scheduled a preconstruction meeting for Wednesday, April 10 at 0830. In addition, we have passed out letters, to the adjacent property owners, notifying of the impending project.

2013 CBDG Applications

2013 Applications were submitted on March 22. We submitted for additional sidewalk funding. This project would extend the Sherman Ave. sidewalk project to Fifth Street where there are presently no curbs or sidewalks.

Sanitary Sewer Connection Fees

We need a discussion on Sewer Connection fees. I just did a calculation for a commercial building and I found that the fee structure is out of line with other communities and our own residential connection fee.

Discussion on the above Engineer's Report followed:

Council Member Lobell asked Mr. Schrek if he reached out to residents that were upset over Johnson Drive.

Stanley Schrek replied yes but no connection at this time will try again. He added a meeting with DOT to coordinate road work on Orlando Drive will be on April 10, 2013. He noted Mayor Liptak and Shelly McGregor; Assistant to Borough Engineer will be attending this meeting. He added letters have been sent out to notify residents of the instillation of sidewalks on Sherman Ave project.

Building and Property Maintenance Reports

No question or comments

Raritan and Millstone Flood Commission

Mayor Liptak noted receiving a letter form Kevin Sluka, Treasurer for the Raritan/Millstone Flood Commission to join this Commission. She added we have not responded at this time.

Council Member Soriano noted we have discussed this before and there is a membership fee of \$250.00. He added this is a minimal cost for something that is a benefit to the town.

Council Member Lobell suggested supporting membership as a voice of opposition.

Council Member Giraldi asked what is their authority or power.

Council Member Lobell replied they are trying to become an authority.

Stanley Schrek replied will speak with Doctor Judy Shaw. He added there should be an understanding of each project and you must be a part of the group in order to have knowledge of the projects. He remarked early information and grant information is possible with involvement.

Daniel Jaxel replied will have a letter of acceptance drafted.

All were in favor

Letter Carriers Coin Drive

Council Member Gara asked if there was any place in the Borough that this can be done. She added maybe we can reach out to the Post Office to suggest placing something in the businesses in the Borough as a fund raiser.

Chief Ciesla noted Raritan Borough does not have an Ordinance that would allow a coin drive of this kind.

Council Member Lobell will send a letter to the Post Office.

Parking on the Main Street

Council President Tozzi suggested sending a letter to all businesses for a meeting to address the issue of parking.

Council Member Gara suggested bringing this up with the Economic Development Committee at their meeting on April 10, 2013. She added they have a lot of contacts.

Council Member Lobell noted the Chamber of Commerce has sent out offers to get involved for years. He added on the south side of Somerset Street there is plenty of parking you just need to walk a half a block.

Council Member Gara noted Frank Taddeo; Property Maintenance/Housing Inspector, has been very busy but is aware of the new Residential Property Ordinance and the need to clean up Somerset Street.

Council President Tozzi added we need more uniformed painting, awnings and exteriors.

Orlando Drive Park Clean-Up

Council Member Lobell advised there will be some over time this weekend for DPW but we are seeking community service people too. He added Canal Park was looked at by someone who does hydro seeding but after looking at the area suggested we wait a year. DPW suggested placing wood chips and mulch on the areas around the trees.

Council Member Gara replied the mulch would need to be treated if not can get termites and ants.

Stanley Schrek replied the grass won't grow because every time it floods the water comes up with sand which prevents the grass from growing. He added you need another type of ground covering. He suggested he would look into this.

Mayor Liptak commented a number of trees on Somerset Street are losing their bark. She asked if this was normal.

Council Member Soriano suggested taking pictures of the trees and he would send them to an arborist.

Council Member Lobell commented there are a lot of people parking in the park and leaving their cars there.

Council Member Gara replied we have county approval for five or six parking spots. She added we have to amend our Ordinance.

Council Member Lobell added we need to place railroad ties or something to prevent parking in the park. He added we also need new signs for this area.

Stanley Schrek replied we need to look at the parking on Canal Street.

Mayor Liptak added the spill over is not spilling over, it is bone dry but this may be a good time to clean that all up.

Council Member Lobell commented he spoke with Stanley Schrek about a meeting with Matt Loeper; Somerset County Engineer about that.

Hazardous Mitigation Grant Program

Daniel Jaxel noted applications have been sent to the County but funds are very limited. He added we put in for a generator, back flow preventer and DPW mezzanine. He added if we get those grants with have to provide a 25% match.

Housing Rehabilitation Program

Daniel Jaxel noted we have taken bids and awarded the first two housing rehabilitation projects. He added documents need to be signed by the homeowners with the terms.

Mark Anderson replied there are a number of issues for Executive Session.

Legislative Data Book information

Daniel Jaxel read a number of statistics and explained figures pertaining to Raritan Borough.

Draft Time-Limit Parking Ordinance

Rayna Harris commented that Mark Ciesla, Police Chief and Mark Anderson, Borough Attorney have worked diligently on this Ordinance.

Chief Ciesla offered we are waiting for the Ordinance passage before ordering new signs.

Council Member Soriano asked for a list of streets that were removed.

CORRESPONDENCE

Council Member Gara noted a meeting with Jacqueline Morales; Director of Tourism Somerset County who is very interested in the River Fest and the Duck Race. She added they want to help with newsletters and advertising. She noted Lisa Snieder is a member of the Recreation Committee and Consultant for 21 Gifts wants to do a fund raiser for Recreation.

Mark Anderson replied we can discuss this in Executive Session.

Council Member Lobell noted Opening Day for baseball will be on Saturday April 20, 2013. He added the original contractor will not do the assembling of the bleachers. He noted it may now cost \$6,000.00.

Stanley Schrek replied he spoke with DPW and they can assemble the bleachers but they need to schedule the time.

Council President Tozzi asked why FEMA hasn't reimbursed this because it is the result of the storm, Sandy.

Daniel Jaxel replied he submitted the bills to insurance and FEMA.

Council Member Lobell noted the owner of Three Olives would like to have a few tables outside for dining.

Mark Anderson offered an explanation of the process.

Stanley Schrek explained you will need four feet of clear sidewalk and should set up standards and guidelines by ordinance.

Mark Anderson replied this is fairly easy and there are many models. He added what you may want to look, is it practical and where can it be done.

Council Member Gara replied should be on a case by case basis.

General consensus is to walk the area with Borough Engineer.

Council Member Lobell noted due to the speeding in town we had decided to place fog lines on Bell Ave in 2012. He added Somerset County has a line painting program which we should investigate.

Council President Tozzi asked what the situation was with the trees on Somerset Street.

Daniel Jaxel replied the Borough Engineer and I had a conversation with the contractor.

Mark Anderson added need to renew the quote.

Daniel Jaxel replied need to get a new quote to finish.

Council Member Carra asked did we get the DPW daily reports

Council President Tozzi replied DPW has a new laborer who started on April 8, 2013.

Council Member Gara added the replacements for the cherry blossom trees have been planted. She added the old trees have been replanted at Frelinghuysen Park.

Mayor Liptak noted an article in the New Jersey League of Municipalities Magazine titled, Raritan Wages a Battle with OPRA Request.

PUBLIC COMMENTS

Mayor Liptak read the following:

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 email a copy to the Borough Clerk's office after making your comments.

James Foohey, 710 Rhine Boulevard, Raritan, New Jersey 08869: asked what the Buckler Litigation was.

Stanley Schrek replied the project on Johnson Drive was started and the contractor defaulted.

James Foohey asked if the Judge had made a discussion about the Gannet Litigation and if there was a total estimated cost and liabilities and would insurance cover this. He noted even with overtime it may still be less expensive to have DPW install the bleachers then to pay a contractor. He added he was pleased with the calendar.

Mark Anderson replied we are waiting for the hearing to be scheduled. He added some would be cover by insurance and some would not.

Thomas Brown, 18 Elmer Street, Raritan, New Jersey 08869: Thank Council Member Gara for her assistance with the crosswalk signs and asked the total price. He suggested a sign be placed on Elmer Street due to the large number of children in the area. He also suggested a sign on Thompson Street. He noted there is a large medal sign on Somerset Street for a "foot doctor" that is an eye sore. He asked if the road sweeper schedule could be published.

Council Member Gara replied the cost of the signs was about \$250.00.

Anthony De Cicco, 10 Anderson Street, Raritan, New Jersey 08869: Asked what the reason is to raising the prices of the ABC/Liquor License. He noted at the bottom of Thompson Street there is a parking lot but not allowed to park there. He suggested using this area for parking and charging a fee.

Council Member Lobell noted this will help with the costs of processing.

Council Member Gara replied this is wetlands so you can't have parking in the area.

Mayor Liptak added this area is DEP controlled even through the Borough owns this property.

Stanley Schrek added this is flood land and the owner never had the site plan approval to do what he did.

RESOLUTIONS

RESOLUTION 2013-04-052

Council Member Lobell motioned to approve Resolution 2013-04-052 seconded by Council Member Soriano. Motion carried by the following roll call vote.

AWARD OF CONTRACT FOR SIDEWALK IMPROVEMENTS TO SHERMAN AVENUE

WHEREAS, bids for Sidewalk Improvements to Sherman Avenue were advertised to be received on April 4, 2013; and

WHEREAS, nine bids were received; and

WHEREAS, the lowest bid was for \$70,896.50 and made by PA Contractors, 105 Davis Avenue, Kearney, NJ 07032;

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 Sidewalk Improvement to Sherman Avenue be made to PA Contractors, 105 Davis Avenue, Kearney, NJ 07032 for \$70,896.50.

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

RESOLUTION 2013-04-053

Council Member Lobell motioned to approve Resolution 2013-04-053 seconded by Council Member Carra. Motion carried by the following roll call vote.

RESOLUTION EXTENDING THE WAIVER OF CERTAIN CONSTRUCTION FEES

WHEREAS, by Executive Order No. 104 dated October 27, 2012, Governor Chris Christie declared a State of Emergency in the State of New Jersey due to the impact of Hurricane Sandy; and

WHEREAS, by Administrative Order No. 2012-13 dated November 3, 2012, Commissioner Bob Martin of the New Jersey Department of Environmental Protection conditionally waived the DEP’s permitting requirements; and

WHEREAS, section123-2 of the Borough of Raritan Code requires collection of construction fees before a permit is issued; and

WHEREAS, section123-2: D of the Borough of Raritan Code provides that the Borough will waive some construction fees in certain circumstances following widespread catastrophic events; and

WHEREAS, the Borough Council, in Resolution 2012-11-155, declared the damage created by Hurricane Sandy and related events from October 29, 2012 through November 4, 2012 a Widespread Catastrophic Event in the Borough of Raritan and waived construction fees payable under Section 123-2, except for those fees for subcode inspections not performed by Borough employees, until December 31, 2012; and

WHEREAS, the Borough Council wishes to extend the waiver of construction fees;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan that construction fees payable under Section 123-2, except for those fees for subcode inspections not performed by Borough employees, for repair, reconstruction, or demolition of buildings or structures damaged as a result of Hurricane Sandy shall be waived for the owner, tenant, or person responsible for repair, reconstruction or demolition until October 1, 2013.

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

EXECUTIVE SESSION

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

RESOLUTION 2013-04-054

Council Member Gara motioned to approve the following Resolution 2013-04-054 seconded by Council President 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. Contract Negotiation – Basilone Parade Committee
2. Personnel – Property Maintenance
3. Litigation – Members of the Library Board of Trustees, Gannett and Buckler
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 Member Gara motioned to adjourn the Executive Session and return to the normal order of business, seconded by Council President Tozzi. Motion carried.

ADJOURNMENT

Council Member Gara motioned to adjourn seconded by Council President Tozzi. Motion carried at 10:07PM.

Respectfully submitted,

Rayna E. Harris, Borough Clerk

REH/cmd