

**BOROUGH OF RARITAN
AGENDA-WORKSHOP MEETING
JUNE 11, 2013 ~ 7:00 PM**

The Agenda-Workshop Meeting of the Borough of Raritan Council was held on June 11, 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, Greg Lobell, Anthony Soriano and Donald Tozzi

Absent: Paul Giraldi

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

FLAG SALUTE

Mayor Jo-Ann Liptak led the flag salute

RESOLUTIONS

RESOLUTION 2013-06-072

Council Member Gara motioned to adopt **Resolution 2013-06-072** seconded by Council Member Carra. Motion carried by the following roll call vote.

TAX REIMBURSEMENT CERTIFICATION

WHEREAS, the Recycling Enhancement Act, P.L.2007, chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility (with certain exceptions) a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility.

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program.

NOW THEREFORE BE IT RESOLVED by the Borough of Raritan that Borough of Raritan hereby certifies a submission of expenditure for taxes paid pursuant to P.L.2007, chapter 311, in 2008 in the amount of \$8,359.77. Documentation supporting this submission is available at 22 First Street, Raritan and shall be maintained for no less than five years from this date.

Tax reimbursement certified by: Lisa Simonetti, CTC

Name of official: Karin E. Kneafsey

Title of official: CFO Date: 05/28/13

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

RESOLUTION 2013-06-073

Council Member Lobell motioned to adopt **Resolution 2013-06-073** seconded by Council President Tozzi. Motion carried by the following roll call vote.

RESOLUTION AUTHORIZING THE BOROUGH OF RARITAN TO COMMIT CERTAIN MONIES FOR THE REHABILITATION OF 103 THOMPSON STREET AND 4 BERWICK STREET PURSUANT TO THE BOROUGH'S AFFORDABLE HOUSING REHABILITATION PROGRAM

WHEREAS, bids for the rehabilitation of 103 Thompson Street and 4 Berwick Street were submitted by interested parties in accordance the Affordable Housing Rehabilitation Program of the Borough of Raritan; and

WHEREAS, the Borough received and opened the bids on behalf of the property owners of 103 Thompson Street and 4 Berwick Street on March 19, 2013; and

WHEREAS, the Borough adopted Resolution 2013-03-049 entitled, Award of Housing Improvement Bids, which authorized the execution of contracts between the property owners and the lowest qualifying bidders; and

WHEREAS, one of the lowest qualifying bidders, Edge Property Maintenance, Inc., failed to execute a contract and was dismissed; and

WHEREAS, this Resolution replaces Resolution 2013-03-049; and

WHEREAS, the lowest qualifying bidders not in default for failure to execute a contract were:

103 Thompson Street, Hayden Construction Group;

4 Berwick Street, Precision Building; and

WHEREAS, the Borough has committed certain monies to be expended on the rehabilitation of the aforesaid properties; and

WHEREAS, the Borough received and reviewed a contract between the owner of 103 Thompson Street and Hayden Construction; and

WHEREAS, the Borough received and reviewed a contract between the owner of 4 Berwick Street and Precision Building;

NOW THEREFORE BE IT RESOLVED that the Borough Council finds that the contract between the owner of 103 Thompson Street and Hayden Construction Group is consistent with the requirements of the Affordable Housing Rehabilitation Program of the Borough of Raritan and hereby authorizes the Borough Administrator to commit an amount up to \$26,450.00 to the property owner for the rehabilitation of 103 Thompson Street; and

BE IT FURTHER RESOLVED that the Borough Council finds that the contract between the owner of 4 Berwick Street and Precision Building is consistent with the requirements of the Affordable Housing Rehabilitation Program of the Borough of Raritan and hereby authorizes the Borough Administrator to commit an amount up to \$6,900.00 to the property owner for the rehabilitation of 4 Berwick Street.

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

RESOLUTION 2013-06-074

Council Member Gara motioned to adopt **Resolution 2013-06-074**, seconded by Council Member Lobell. Motion carried by the following roll call vote.

**CHANGE ORDER #1 FOR PA CONTRACTORS FOR THE PROJECT COMMONLY
KNOWN AS
SIDEWALK IMPROVEMENT TO SHERMAN AVENUE**

WHEREAS, the original contract with PA Contractors, 105 Davis Avenue, Kearney, NJ 07032 authorized by Resolution 2013-04-052 was in the amount of \$70,896.50; and

WHEREAS, Change Order #1 in the amount of \$4,375.00 is being requested for additional sections of sidewalk and drainage repairs; and

WHEREAS, based upon the review of Change Order #1, the Borough Engineer agrees with the request for the additional monies and is recommending approval of Change Order #1; and

WHEREAS, the Chief Finance Officer has certified the availability of funds;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan, County of Somerset and State of New Jersey that Change Order #1 for PA Contractors for the project commonly known as the Sidewalk Improvement to Sherman Avenue and accompanying Purchase Order Request in the amount of \$4,375.00 are hereby approved; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be authorized to sign same.

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

PURCHASE ORDER REQUESTS

1. Frelinghuysen Park pool preparation in the amount of \$4,610.00

Council Member Lobell motioned to approve the above purchase order request for \$4,610.00, 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			

2. Cleaning of Cardinal Woods pump station in the amount of \$2,877.00

Council Member Gara motioned to approve the above purchase order request for \$2,877.00, seconded by Council Member Soriano. Motion carried by the following roll call vote.

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

3. Roofing, Basilone Park pool-house in the amount of \$1,985.00

Council Member Lobell motioned to approve the above purchase order request for \$1,985.00, seconded by Council Member Soriano. Motion 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	

4. Telephone service agreement in the amount of \$2,760.00

Council Member Lobell motioned to approve the above purchase order request for \$2,760.00, seconded by Council Member Carra. Motion 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			

5. Nixle service in the amount of \$1,590.00

Council Member Gara motioned to approve the above purchase order request for \$1,590.00, seconded by 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			

6. Beyer Ford, LLC in the amount of \$31,908.75

Council Member Gara motioned to approve the above purchase order request for \$31,908.75, seconded by Council Member Carra. Motion carried by the following roll call vote.

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

DISCUSSION

Engineer's Report

Stanley Schrek gave the following report:

Orlando Drive Improvements, Phase 1

Construction is continuing. As of this date, all curbing, sidewalk, drainage and base course has been installed. We are projecting that leveling course and final top course will proceed this week, weather depending.

2012 County Planning Grant

I will present a concept plan at the meeting. I have yet to bring the revised plan for the Basilone Statue to the County, but will be doing that shortly.

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

This project has been completed

Orlando Drive and NJAWC

The water company is preparing to mill and overlay Orlando Drive from Thompson Street to the terminus of their transe work. The project should be completed this week

Various Sewer Repairs

Two private sewer connections need to be discussed:

1. 25 Johnson Drive
2. 815 Ashton Street

Discussion Engineers report followed:

Stanley Schrek read the report form the Dave Maski, The Borough Planner.

Stanley Schrek commented they will jet the line inside the house on Johnson Drive due to complaints of sewer problems. He added 815 Ashton Street connection has been done and the home owner has requested the Borough contribute to the expense. He noted there is nothing in the ordinances or policy.

Daniel Jaxel commented when this was requested there was no mention of the Borough being at fault.

Council Member Soriano suggested in the future, when we do a road job the sanitary lines should be checked.

Stanley Schrek replied we do check the sewer and water lines. He added letters are sent to the gas and water companies to check.

Council Member Soriano suggested the Borough should take responsibility for the lines that are within the "right of way" to the main. He added overall it would be beneficial for us to see the repairs as needed.

Daniel Jaxel commented the practice has been "curb to curb" which is sometimes thought of as 10 feet.

Stanley Schrek added practice has been if there is a break in the lateral between curb and the knee, the Borough has been repairing the problem. He added if there is a blockage the resident would be responsible.

Council Member Gara commented in the past the residents have paid a private company to video the line.

Council Member Lobell noted in the Ashton Street problem the resident asked permission of the Borough to go into the street to separate the line. He added this was clearly a failure in the middle of their property.

Daniel Jaxel will send a letter to the home owner.

Website

Council Member Tozzi commented on residents wanting to know why the Borough website does not showcase new businesses.

After a brief discussion all were in favor not to pursue this suggestion further.

Review of Report of Audit 2012

Rayna Harris asked Mayor and Council to review the Report of Audit 2012.

Draft Ordinance Amending Chapters 45 and 49 of the Code of the Borough of Raritan

All agreed to introduce at the June 25, 2013 Meeting.

Diocese of Metuchen Attorney Letter

Stanley Schrek commented this is about an area of land behind St. Joseph's Church that is adjacent to the John Street property which is over grown. He added the Borough certainly has no claim on this.

Council Member Gara noted St. Joseph's Church wants to do some landscaping and put in proper drainage in the area.

Mark Anderson suggested if the Borough has a claim then looking back at the title would be recommended.

Daniel Jaxel to Mark Anderson is there any real negatives here. He added do you want to contact their Attorney.

Mark Anderson commented the letter from the Church suggests that perhaps the Borough has claim to this area.

Council Member Gara years ago the Church contacted the Borough about this area a number of times complaining about the overgrown conditions. She added at that time DPW did some cleaning up of the area. She suggested this may be why the Church thinks that the Borough has interest.

Mark Anderson commented if you are absolutely sure the Borough has no claim then there is a low risk to letting them go forward.

All were in favor for Mark Anderson to give the Diocese of Metuchen's Attorney a call.

Library Bids

Daniel Jaxel commented the bids are in for Phase IV renovation and they are well below the grant amount. He added we are ready to award. He read the bid from alternate number 3 which was recommended by the architect. He noted Mary Jane Paese, Borough Library Director suggested insulate to the roof area so they could use the area for storage.

Stanley Schrek commented this makes for a cold attic, but gives longevity to the area and better insulation.

Daniel Jaxel asked if the award would be given to alternate #3 for \$96,950.

All were in favor.

Rain Barrel Workshop (DJ)

Council Member Soriano commented the work-shop will be on June 22nd from 10am-12pm at Frelinghuysen Park. He added this is sponsored by Rutgers, NJ Water and Raritan Borough.

Mailing Machine Lease

Daniel Jaxel commented the machine would be \$156.00 to rent monthly and would be less if rented for 48 or 60 months at a time.

No objections noted

Sewer Repair Policy

Stanley Schrek suggested a separate meeting to discuss the Sewer Repair Policy.

No objections noted.

Request for Borough Fire Apparatus in Parades

No objections noted.

CORRESPONDENCE

Council Member Gara asked if a phone was going to be available for the OEM office now that a line is available.

Council Member Lobell asked if this was a private line just for OEM.

Council Member Gara replied yes just for OEM. She added Frank Taddeo, Borough Property Maintenance Manager, does not have a cell phone.

Daniel Jaxel suggested using Verizon Wireless and getting a phone similar to OEM.

Mayor Liptak noted the month of June is the last Senior Meeting until September. She added there will be two representatives from Senator Leonard Lance's office that will speak with the seniors on June 12, 2013.

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

Richard Yadowski, 267 Weiss Terrace, Raritan, New Jersey 08869: Commented on the low voter turnout for the primary. He suggested using caution with the closing of polling locations.

Rayna Harris explained how the closing of polling locations are determined.

Richard Yadlowski asked if further information is available on the closing of the Somerset County Office of Consumer Affairs. He suggested the office was inundated and they were overburdened.

James Foohey, 710 Rhine Boulevard, Raritan, New Jersey 08869: Commented there is poison ivy along the foot path of the canal when you cross the bridge.

Council Member Gara replied she will bring up this issue the next meeting with Somerset County.

James Foohey asked if Bruce Doorly was a member of the Chamber of Commerce. He suggested posting the businesses on the website. He added the Chamber should start up a website.

Council Member Gara replied the businesses are working with the Economic Development Committee.

Thomas Brown, 18 Elmer Street, Raritan, New Jersey 08869: Offered his thanks to DPW for all their work on the Library.

Council Member Lobell suggested thanking Council Member Gara for coordinating this project.

Thomas Brown asked what happened to the welcome sign that was to be placed on Route 206. He added the Rescue Squad has been using La Grange Street and Elmer Street as a drag strip. He noted these are emergency vehicles and also personal vehicles. He suggested someone speaking to the members of the Rescue Squad before someone is hit by these vehicles.

Daniel Jaxel will check order for the signs.

Council Member Gara to ask DPW to install signs.

EXECUTIVE SESSION

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

RESOLUTION 2013-06-075

Council Member Gara motioned to adopt **Resolution 2013-06-075**, seconded by Council President Tozzi. Motioned carried by the following roll call vote at 8:17pm.

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 the meeting shall be resumed at the end of the 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 – Public Works and Administration
2. Litigation –Library Staff and Cell Tower Lease
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				
		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 Member Lobell. Motion carried.

ADJOURNMENT

Council President Tozzi motioned to adjourn seconded by Council Member Lobell. Motion carried at 9:16pm.

Respectfully submitted,

Rayna E. Harris, Borough Clerk

REH/cmd