

**BOROUGH OF RARITAN  
REGULAR MEETING**

The Regular Meeting of the Borough of Raritan Council was held on July 23, 2013 in the Municipal Building, 22 First Street, Raritan, New Jersey 08869 at 7:01pm.

**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 and Rayna E. Harris, Borough Clerk

**FLAG SALUTE AND INVOCATION**

Councilman Paul Giraldi led the flag salute and invocation.

**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.

Thomas Brown, 18 Elmer Street, Raritan, New Jersey 08869: Thanked Mayor and Council for the sign placed on Elmer Street and Somerset Street. He noted there is an epidemic of feral cats. He added this must be addressed they carry rabies. He added there are a number of skunks in the area as well.

Council Member Gara noted we've had skunk issues before and there is nothing that can be done.

Thomas Brown commented on the number of trees that are hanging over the sidewalks.

Council Member Gara suggested calling property maintenance.

Richard Yadlosky, 267 Weiss Terrace, Raritan, New Jersey 08869: asked what is the status on the Somerset County Division of Consumer Affairs.

Mayor Liptak replied Somerset County has decided to eliminate the division due to economic reasons.

Richard Yadlosky replied this is really unacceptable, now we must go directly to the State with any problems.

Council Member Gara suggested attending a Freeholders Meeting and questioning directly.

**MINUTES**

**1. March 26, 2013-Regular Meeting**

Council Member Gara motioned to approve the **March 26, 2013-Regular Meeting Minutes**, 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			

**2. April 9, 2013-Agenda-Workshop Meeting**

Council Member Gara motioned to approve **April 9, 2013-Agenda-Workshop Meeting Minutes**, 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. April 23, 2013-Regular Meeting**

Council Member Carra motioned to approve **April 23, 2013-Regular Meeting Minutes**, seconded by Council Member Lobell. 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			

## 4. May 14, 2013-Agenda-Workshop Meeting

Council Member Gara motioned to approve **May 14, 2013-Agenda-Workshop Meeting Minutes**, 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			

## 5. June 11, 2013-Agenda-Workshop Meeting

Council Member Lobell motioned to approve **June 11, 2013-Agenda-Workshop Meeting Minutes**, 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			

## 6. June 11, 2013-Executive Session

Council Member Lobell motioned to approve **June 11, 2013-Executive Session Minutes**, 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			

## 7. June 25, 2013-Regular Meeting

Council Member Gara motioned to approve **June 25, 2013-Regular Meeting Minutes**, 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			

#### 8. June 25, 2013-Executive Session

Council Member Gara motioned to approve **June 25, 2013-Executive Session Minutes**, 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		X	
		Soriano	X			
		Tozzi	X			

### **PUBLIC HEARING AND ADOPTION OF ORDINANCES ORDINANCE 2013-08**

**Bond Ordinance Providing for Various Capital Improvements by the Borough of Raritan, New Jersey, Appropriating the Aggregate Amount of \$321,000 Therefor and Authorizing the Issuance of \$304,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof**

Council Member Gara motioned to open the hearing for **Ordinance 2013-08**, seconded by Council President Tozzi. Motion carried.

No one spoke

#### **Ordinance 2013-08**

Council Member Gara motioned to close the public hearing for **Ordinance 2013-08**, seconded by Council President Tozzi. Motion carried.

#### **Ordinance 2013-08**

Council Member Carra motioned to adopt **Ordinance 2013-08**, seconded by Council Member Gara. Motion carried by the following roll call vote.

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS BY THE BOROUGH OF RARITAN, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$321,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$304,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.**

**BE IT ORDAINED** BY THE BOROUGH COUNCIL OF THE BOROUGH OF RARITAN, NEW JERSEY (the “Borough”) (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$321,000, including the aggregate sum of \$17,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$304,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

- (a) Providing for the acquisition of an emergency generator for the Fire Department.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$60,000	\$57,000	15 years

(b) Providing for the acquisition of a new utility pick-up truck for the Public Works Department.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$40,000	\$38,000	5 years

(c) Providing for the reconstruction of Orlando Drive, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$60,000	\$57,000	20 years

(d) Providing for the reconstruction of various sanitary sewers throughout the Borough, including all work and materials necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$100,000	\$95,000	40 years

(e) Providing for the acquisition of new lighting for the Nevius Street Bridge.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$10,000	\$9,000	25 years

(f) Providing for the installation of a new flat roof on the Raritan Public Library, including all work and materials necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
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\$6,000

\$5,500

10 years

(g) Providing for the reconstruction of various curbs and sidewalks throughout the Borough, including all work and materials necessary therefore or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$45,000	\$42,500	10 years
<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$321,000	\$304,000	22.01 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 22.01 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$304,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$20,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

**ORDINANCE 2013-09**

**An Ordinance Amending Ordinance 2013-07 to Fix and Determine the Salaries, Wages or Compensation to be paid to Certain Officers and Employees of the Borough of Raritan**

Council Member Lobell motioned to open the public hearing for **Ordinance 2013-09**, seconded by Council President Tozzi. Motion carried.

No one spoke

**Ordinance 2013-09**

Council President Tozzi motioned to close the public hearing for **Ordinance 2013-09**, seconded by Council Member Lobell. Motion carried.

**Ordinance 2013-09**

Council Member Giraldi motioned to adopt **Ordinance 2013-09**, seconded by Council Member Lobell. Motion carried by the following roll call vote.

**AN ORDINANCE AMENDING ORDINANCE 2013-07 TO FIX AND DETERMINE THE SALARIES, WAGES OR COMPENSATION TO BE PAID TO CERTAIN OFFICERS AND EMPLOYEES OF THE BOROUGH OF RARITAN**

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

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

<u>TITLE</u>	<u>PER ANNUM</u> <u>MINIMUM</u>	<u>MAXIMUM</u>
Bookkeeper, Library	(hourly) 10.00	(hourly) 21.00

2. The salary and wage ranges and maximums shall be retroactive as of and from, and after January 1, 2013 and shall continue active as of and from, and after January 1, 2013.

3. In the event of future succession to any of the foregoing positions by a change of personnel, the salary or wage of such new employee shall be fixed by resolution of the Mayor and Council adopted therefore but not to exceed the amount or rate for such position as hereinabove set forth.
4. The Borough Council may also fix and determine from time to time the times at which and the installments in which or periods of time for which the salaries, wages, or compensation of the employees enumerated in Section 1 of this ordinance shall be paid to them respectively.
5. This ordinance shall take effect immediately upon passage and publication as required by law and all prior salary ordinances are hereby repealed.
6. Payment of the salaries, wages, and compensation described herein are subject to funding in the existing budget, notwithstanding the effective date of this ordinance.

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

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

**ORDINANCE 2013-10**

**An Ordinance Amending the Raritan Borough Code by Amending Chapter 49 Entitled “Police Department” to Revise the Application Process for New Appointments to the Raritan Borough Police Department and to Amend the Eligibility Criteria for Promotions within the Police Department**

Council President Tozzi motioned to open the public hearing for Ordinance 2013-10, seconded by Council Member Giraldi. Motion carried.

Richard Yadlowski, Weiss Terrace, Raritan, New Jersey 08869: Asked why was this Ordinance needed.

Mayor Liptak replied this will bring things current to date and congruent with other municipalities.

**Ordinance 2013-10**

Council President Tozzi motioned to close the public hearing for Ordinance 2013-10, seconded by Council Member Giraldi. Motion carried.

**Ordinance 2013-10**

Council Member Carra motioned to adopt Ordinance 2013-10, seconded by Council President Tozzi. Motion carried by the following roll call vote.

**AN ORDINANCE AMENDING THE RARITAN BOROUGH CODE BY AMENDING CHAPTER 49 ENTITLED "POLICE DEPARTMENT" TO REVISE THE APPLICATION PROCESS FOR NEW APPOINTMENTS TO THE RARITAN BOROUGH POLICE DEPARTMENT AND TO AMEND THE ELIGIBILITY CRITERIA FOR PROMOTIONS WITHIN THE POLICE DEPARTMENT**

**BE IT ORDAINED** by the Borough Council of the Borough of Raritan in the County of Somerset that the Code of the Borough of Raritan of 2012 as heretofore amended be further amended as follows:

SECTION ONE:

§45-20 entitled "Hiring and promotions within Police Department" shall be removed in its entirety.

SECTION TWO:

Chapter 49 entitled "Police Department" shall be amended by replacing §49-6 in its entirety as follows:

§49-6 Hiring New Members of the Police Department.

This section shall apply only to initial appointments and shall not apply to reappointments pursuant to N.J.S.A. 40:47-11.1 and promotional appointments of current members of the Police Department.

A. Applications.

Each applicant for appointment as a member of the Police Department shall submit a complete application to the Chief of Police or his/her designee accompanied by the following:

- (1) Copy of a valid driver's license;
- (2) Copy of birth certificate;
- (3) Resume;
- (4) Two recent 2 inch by 2 inch color photographs; and
- (5) Nonrefundable application fee of \$30.00 payable to the Borough of Raritan.

B. Qualification of applicants. To be eligible for appointment a member of the Police Department, a candidate shall satisfy all of the following requirements:

- (1) Be a citizen of the United States of America and a resident of the State of New Jersey;

- (2) Be not less than 21 years nor more than 35 years of age;
- (3) Be of good moral character and never have been convicted of a crime or any offense involving moral turpitude;
- (4) Be sound in body and mind and eligible for membership in the Police and Firemen's Retirement System of New Jersey;
- (5) Be able to read, write and speak the English language well and intelligently;
- (6) Possess a valid New Jersey passenger car driver's license;
- (7) Be a high school graduate;
- (8) Satisfactorily pass a written, physical and medical examination;
- (9) Satisfactorily pass a psychological or psychiatric examination; and
- (10) Satisfactorily complete a police training course at a school approved and authorized by the Police Training Commission in the Department of Law and Public Safety of the State of New Jersey or the statutory equivalent.

C. Examination of applicants.

- (1) All applicants shall be required to undergo a medical examination and a psychological or psychiatric examination which shall be conducted by licensed professionals selected by the Borough. The Borough shall pay the expenses of such examinations.
- (2) All applicants shall be required to undergo drug screening which shall be conducted by a facility selected by the Borough. The Borough shall pay the expenses of such screening.
- (3) Oral interviews for the position of police officer will be conducted by the Police Department and the Borough Council Police Committee.

D. Probationary period for new appointees; permanent appointment.

- (1) Each person hereafter appointed to the Police Department without any prior police service and training shall be considered as a probationary police officer for a period of 12 months from the date of his/her appointment.
- (2) Each person having prior police service and training in another police department of any municipality or any law enforcement agency may be appointed as a probationary police officer and shall serve as a probationary police officer for a period of six months from the date of his/her appointment. The Mayor and Borough Council shall have the authority to lengthen the probationary term of said police officer for up to 12 months from the date of his/her appointment, which decision shall be made at any time prior to the expiration of the initial probationary period.

(3) A probationary police officer may be appointed to a permanent position as a police officer at the termination of his/her probationary period upon recommendation of the Chief of Police and concurrence of the Mayor and Borough Council.

(4) No person shall be appointed to a permanent position as a police officer unless such person has successfully completed a police training course at a school approved and authorized by the Police Training Commission in the Department of Law and Public Safety of the State of New Jersey or the statutory equivalent.

(5) If a candidate does not meet the requirements of a satisfactory police officer at the end of the probationary period, his/her services will be terminated on the recommendation of the Chief of Police and with the approval of the Mayor and Borough Council, at their sole discretion, without the need for a hearing.

Chapter 49 entitled "Police Department" shall be amended by adding §49-7 entitled "Promotions within the Police Department" as follows:

§49-7 Promotions within the Police Department.

A. Promotions. The promotion of any member of the Department to a superior position shall be made in accordance with N.J.S.A. 40A:14-129.

B. Chief of Police. There shall be appointed a Chief of Police by the governing body of the Borough of Raritan.

C. Other Superior Officers. The governing body of the Borough of Raritan may appoint superior officers other than the Chief of Police as deemed appropriate and necessary.

C. Eligibility criteria for promotion to Chief of Police. Only members of the Department holding the rank of Sergeant for a minimum of six years, or a higher rank, shall be eligible for promotion to Chief of Police.

D. Eligibility criteria for promotion to positions above Sergeant, excluding Chief of Police. Only members of the Department holding the rank of Sergeant for two years, or a higher rank, shall be eligible for promotion to a rank higher than Sergeant.

E. Eligibility for rank of Sergeant. Each member of the Department shall become eligible for the rank of Sergeant within the Department after he or she shall have served in the capacity of police officer, investigator or some other rank below the rank of Sergeant for a combined period of at least four years, exclusive of his or her initial probationary period.

Chapter 49 entitled "Police Department" shall be amended by adding §49-8 entitled "Word usage" as follows:

§49-8 Word usage.

Throughout this chapter, the masculine and feminine genders shall be deemed interchangeable and shall include each other where applicable.

## SECTION THREE:

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

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

### INTRODUCTION OF ORDINANCES ORDINANCE 2013-11

#### An Ordinance Amending the Raritan Borough Code by Amending Certain Provisions of Chapter 253 Entitled "Peddling and Soliciting"

Council Member Lobell motioned to Introduce **Ordinance 2013-11**, 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			

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, August 27, 2013 at 6:00 PM or at any time and place to which the meeting for the further consideration of the ordinance shall be adjourned.

### RESOLUTIONS

#### RESOLUTION 2013-07-091

Council Member Gara motioned to adopt **Resolution 2013-07-091**, seconded by Council President Tozzi. Motion carried by the following roll call vote

### CHAPTER 159: 2013 REGIONAL CENTER PARTNERSHIP PLANNING ASSISTANCE GRANT PROGRAM COMPLETION OF PLAN ENDORSEMENT GRANT AGREEMENT

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any county or municipality when such items shall have been made available by law and the amounts were not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of any items of appropriation for an equal amount,

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Raritan in the County of Somerset, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$12,700.00, which is now available from the Somerset County, Regional Center Partnership, Planning Assistance Program, Completion of Plan Endorsement Grant Agreement.

**BE IT FURTHER RESOLVED** that the like sum of \$12,700.00 is hereby appropriated under the caption 2013 Regional Center Partnership, Planning Assistance Program, Completion of Plan Endorsement Grant Agreement.

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

**RESOLUTION 2013-07-092**

Council Member Gara motioned to adopt **Resolution 2013-07-092**, seconded by Council Member Carra. Motion carried by the following roll call vote.

**CHAPTER 159: 2013 REGIONAL CENTER PARTNERSHIP PLANNING ASSISTANCE PROGRAM WAYFINDING SYSTEM**

**WHEREAS**, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any county or municipality when such items shall have been made available by law and the amounts were not determined at the time of the adoption of the budget; and

**WHEREAS**, the Director may also approve the insertion of any items of appropriation for an equal amount,

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Raritan in the County of Somerset, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$13,300.00, which is now available from the Somerset County, Regional Center Partnership, Planning Assistance Program, Wayfinding System.

**BE IT FURTHER RESOLVED** that the like sum of \$13,300.00 is hereby appropriated under the caption 2013 Regional Center Partnership, Planning Assistance Program, Wayfinding System.

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

**RESOLUTION 2013-07-093**

Council Member Lobell motioned to adopt **Resolution 2013-07-093**, seconded by Council Member Giraldi. Motion carried by the following roll call vote.

**2013 WAGES OF THE BOOKKEEPER - LIBRARY**

**BE IT RESOLVED** by the Borough Council of the Borough of Raritan that pursuant to the minimum and maximum salary provisions of Raritan Borough Ordinance 2013-07, the following base wage is amended and for 2013 and shall be retroactive to January 1, 2013, unless otherwise stipulated;

<u>TITLE</u>	<u>SALARY/WAGE</u>
Bookkeeper, Library	\$20.40/hr.

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

**RESOLUTION 2013-07-094**

Council Member Lobell motioned to adopt **Resolution 2013-07-094**, seconded by Council Member Gara. Motion carried by the following roll call vote.

**AUTHORIZING EXECUTION OF THE CONTRACT WITH NORTHEAST ROOF MAINTENANCE, INC. FOR THE PHASE 4 REPAIR AND RESTORATION OF THE RARITAN PUBLIC LIBRARY**

**WHEREAS**, on June 25, 2013, the Borough Council of the Borough of Raritan adopted Resolution 2013-06-86 awarding the Phase 4 Repair and Restoration of the Raritan Public Library to the lowest bidder, Northeast Roof Maintenance, Inc., in the amount of \$96,950.00; and

**WHEREAS**, the Borough is in receipt of the construction contract between the Borough and Northeast Roof Maintenance, Inc., prepared by the Borough’s architects, Mills + Schnoering Architects LLC, consisting of documents numbered AIA A101-2007 and AIA A201-2007 and a document entitled Supplementary General Conditions (the “Contract”), attached hereto; and

**WHEREAS**, the Borough Attorney has reviewed and approved the Contract;

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Raritan that the Mayor is hereby authorized to execute the Contract with Northeast Roof Maintenance, Inc. on behalf of the Borough of Raritan.

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

**RESOLUTION 2013-07-095**

Council President Tozzi motioned to adopt Resolution 2013-07-095, seconded by Council Member Carra. Motion carried by the following roll call vote.

**RE-APPOINTMENT OF MUNICIPAL CLERK**

**WHEREAS**, pursuant to *N.J.S.A. 40A:9-133a.*, in every municipality there shall be a Municipal Clerk appointed for a three-year term by the governing body of the municipality; and

**WHEREAS**, the Mayor and Council of the Borough of Raritan, County of Somerset, State of New Jersey desire to re-appoint Rayna E. Harris to the full time position of Municipal Clerk pursuant to *N.J.S.A. 40A:9-133*; and

**WHEREAS**, Rayna E. Harris holds the certification of New Jersey State Registered Municipal Clerk and is qualified and willing to perform the duties of the Municipal Clerk for the Borough of Raritan;

**NOW, THEREFORE BE IT RESOLVED** that the Borough Council of the Borough of Raritan, Rayna E. Harris is hereby re-appointed to the position of Municipal Clerk for the Borough of Raritan as of August 9, 2013.

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

**RESOLUTION 2013-07-096**

Council Member Gara motioned to adopt **Resolution 2013-07-096**, seconded by Council President Tozzi. Motion carried by the following roll call vote.

**REFUND OF REDEMPTION MONIES TO OUTSIDE LIENHOLDER**

**WHEREAS**, at the Municipal Tax Sale held on October 24, 2011 a lien was sold on Block 86 Lot 1.01 also known as 44 First Ave. in Raritan, for 2011 delinquent taxes charges; and

**WHEREAS**, this lien known as Tax Sale Certificate #11-00009 was sold to FWDSL & Associates LP at 0% interest; and \$5,000.00 premium; and

**WHEREAS**, the sale of the property to Keith R. Steele has affected redemption of Certificate 11-00009 in the amount of \$5,311.83 plus the premium of \$5,000.00;

**NOW, THEREFORE BE IT RESOLVED** that the CFO be authorized to, issued one check one in the amount of \$ 10,311.83 payable to FWDSL & ASSOCIATES LP, 5 Cold Hill Road S Suite 11, Mendham, NJ 07945 for the redemption of tax sale certificate # 11-00009.

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

**RESOLUTION 2013-07-097**

Council Member Gara motioned to adopt **Resolution 2013-07-097**, seconded by Council President Tozzi. Motion carried by the following roll call vote.

**FINAL CHANGE ORDER FOR Z BROTHERS CONCRETE CONTRACTORS INC. FOR THE PROJECT COMMONLY KNOWN AS THE RECONSTRUCTION OF ORLANDO DRIVE (PHASE 1)**

**WHEREAS**, the original contract with Z Brothers Concrete Contractors, Inc., 304 Jernee Mill Road, Sayreville, NJ 08872 authorized by Resolution 2012-09-138 was in the amount of \$575,526.16; and

**WHEREAS**, Change Order #1 in the amount of \$19,000.00 is being requested for 6” perforated pipe, installed with stone and filter fabric (approximately 760 LF - \$ 25 per LF) and drainage inlet work (1 Unit - \$6,500) authorized by Resolution 2013-04-060 was in the amount of \$19,000.00; and

**WHEREAS**, the Final Change Order in the amount of \$46,824.29 is being requested which adjusts, mainly, for modified subgrade; and

**WHEREAS**, the Borough Engineer agrees with the request for the additional monies, after review, and is recommending approval of the Final Change Order;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Raritan, County of Somerset and State of New Jersey that the Final Change Order for Z Brothers Concrete Contractors Inc. in the amount of \$46,824.29 for the project commonly known as the Reconstruction of Orlando Drive (Phase 1).

**BE IT FURTHER RESOLVED** this payment request withholds 2% retainage that will be released upon receipt of the required maintenance bond.

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

**RESOLUTION 2013-07-098**

Council President Tozzi motioned to adopt **Resolution 2013-07-098**, seconded by Council Member Giraldi. Motion carried by the following roll call vote.

**DEPARTMENT OF PUBLIC WORKS – TEMPORARY LABORER**

**BE IT RESOLVED** by the Borough Council of the Borough of Raritan, County of Somerset and State of New Jersey that Chad Niles, 15 Gaston Avenue, Raritan, NJ 08869 is hereby appointed as a Temporary Laborer, 20 hours a week in the Department of Public Works at an hourly rate of \$10.00, effective July 18, 2013 upon meeting all pre-employment qualifications pursuant to Borough Council’s authorization on July 9, 2013.

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

**APPROVAL OF BILLS LIST**

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

**APPROVAL OF BILLS LIST**

**BE IT RESOLVED** that claims in the amount of \$2,851,879.66 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			
	X	Giraldi	X			
		Lobell	X			
		Soriano	X			
		Tozzi	X			

**PURCHASE ORDER REQUESTS**

1. Corby in the amount \$1,770.00

Council Member Lobell motioned to approve the above purchase order for \$1,770.00, 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. .SC Park Commission Therapeutic Recreation Department in the amount \$2,030.00

Council Member Lobell motioned to approve the above purchase order for \$2,030.00, 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			

**COMMITTEE AND LIAISON REPORTS**

**Department of Public Works**

Council President Tozzi gave the following report: DPW continues with Chipping, Street sweeping, repair of black top and clearing sewers and catch basins.

**Cultural and Historical Committee**

Council President Tozzi gave the following report: The Committee has a new logo (picture was provided to Council) and would like Council’s approval.

**Basilone Parade Committee**

Council Member Giraldi gave the following report: There is a restriction on travel so the Marine Band will not be able to attend. He added at this time there is no band.

**Police Department**

Council Member Gara gave the following report: The Police Department have a new vehicle and the complete report for June is available at the Police Department if requested.

**River Fest**

Council Member Gara gave the following report: Follow the duck on Facebook, the duck will be at different locations if you find out where the duck has been and put up a picture you may win various prizes.

**Economic Development Committee**

Council Member Gara gave the following report: EDC Meeting was held on June 12<sup>th</sup>. She added she is working with Stanley Schrek, Council Member Lobell and Dave Maski, Borough Planner on the Canal Park Project. She added the Somerset County Solid Waste Advisory Council met and spoke about composting. They want to compost on their own due to a large amount of sand in the compost at this time.

**Board of Health**

No meeting till September

**Board of Education**

Council Member Soriano gave the following report: A meeting is scheduled for the morning of July 27<sup>th</sup>.

**Enviromental Committee**

Council Member Soriano gave the following report: There was a Meeting with a Public Information Session on Wednesday July 17<sup>th</sup> which went very well. He added the Green List will now go to the Planning Board for approval.

**Recreation**

Council Member Lobell gave the following report: The Frelinghuysen and Basilone pools are being utilized by many residents. He added Empower will have a Family Night at the Frelinghuysen Pool Thursday July 25<sup>th</sup> from 6pm-8pm.

**Seniors**

No Meeting till September.

Mayor Liptak commented on the Good Samaritan Law signed by Governor Christie on May 2, 2013. She added this law is to encourage people to call 911 if someone over doses on legal or illegal drugs with no prosecution to the caller. She added the dam at the Raritan River will be breached tomorrow morning July 24<sup>th</sup>. She praised Sargent Thomas Fischer for his professionalism and compassion to Mrs. Gonzales while assisting after the passing of her daughter Ellie Gonzales.

**OLD BUSINESS**

None was offered

**NEW BUSINESS**

**Public Works Outsourcing**

Council Member Lobell noted that there may be personnel changes in the near future due to Employees retiring. He added if we can keep our man power down this will keep our costs and benefits down. He suggested outsourcing some of the work that DPW does.

Council Member Giraldi commented part-timers do not receive benefits.

Daniel Jaxel commented this has been an eleven person department for a long time. He added the Foreman has been doing administrative work and garbage pickup you need six people. He added the senses have been growing but we have kept the department at eleven. He suggested maintaining the department number as is but have them do multiple functions.

Council Member Giraldi suggested outsourcing is worth a look.

Council Member Gara commented it is important to create a scope of work.

Stanley Schrek commented if there is going to be a meaningful discussion we should include privatizing garbage collection.

**Recreation Fencing**

Council Member Lobell noted the fence at Cardinal Woods Park was destroyed by Sandy and needs to be replaced. He asked if any money was received by Recreation.

Daniel Jaxel replied we have received money from the insurance company but not from FEMA.

Council Member Lobell added the estimate for the fence is about \$7,000.00 from York Fence.

Daniel Jaxel replied Eagle Fence has given a quote today for \$9,000.00.

Council Member Lobell noted we have \$7,000.00 left over from the Orlando Drive grant.

Stanley Schrek noted Recreation wanted the property line surveyed. He added but if Mr. Bartolucci, Director of Parks and Recreation wants to offset the installation of the fence it needs to be ten feet off the building.

Council Member Lobell noted this is a question of remediation.

Mark Anderson replied I have no idea who supervised this project.

Jolanta Maziarz replied the remediation is for any damage that was done to the Borough's property.

Council Member Lobell added this is an incomplete job there is stone back to the river.

Stanley Schrek added he doesn't think anyone knows what the original state was in this area. He suggested photos for evidence.

Council Member Gara suggested waiting because this will be a staging area for Phase II of the Orlando Drive Project.

**Fire Department Parade Request**

No objection to the Fire Department request.

Council Member Lobell commented on the Police Officer that was attacked in Town and the large number of complaints from Residents not feeling safe. He added a large number of complaints are concerning the Super 8 Motel. He suggested a hotel tax should be place because of all the complaints.

Council Member Gara suggested Mark Ciesla, Chief of Police prepare a report regarding the Super 8 Motel.

Chief Mark Ciesla replied there have been 117 complaint calls since January 2013. He noted in the last 3 previous years there were 200 calls for the entire year.

Stanley Schrek noted the history has been reviewed and with the crime in the area this may be a reason to look at redevelopment of the site.

Mark Anderson noted it is up to Council what is to be done. He added redevelopment has both advantages and disadvantages.

Council Member Gara commented the businesses are complaining as well. She added Scott's Florist was just complaining about people hanging around in front of his store.

Council Member Giraldi you don't see this kind of thing in Somerville, maybe we need to find out what they are doing to avoid this.

Mark Anderson stated the Police department can only site the people for violations of the law.

Mayor Liptak asked Chief Mark Ciesla if these people could be sited for loitering.

Chief Mark Ciesla noted standing/hanging around is not a violation.

Council Member Gara suggested meeting with Somerset County Freeholders about these issues.

Mark Anderson noted the county is exempt from the hotel tax.

Chief Mark Ciesla noted there are issues of man power we do not have the maximum numbers of officers at all times.

Council Member Lobell noted the problem is with section 8 housing and with the housing ordinance.

Mayor Liptak replied the landlords are the problem not the tenants. She added we were to have control in the number of people who are in an apartment. She noted if you are not on the lease you should not be living there. She commented the Borough should have a copy of each lease of every apartment/house that is being rented in the Borough.

Mark Anderson suggested maybe this is an enforcement issue.

Council Member Gara suggested maybe more involvement from the County Board of Health.

Council President Tozzi suggested looking into the Fire Codes for violations.

Mayor Liptak asked can we bring the Sheriff's Department in to help.

Chief Mark Ciesla replied we can make the request.

#### **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

#### **EXECUTIVE SESSION**

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

#### **RESOLUTION 2013-07-099**

Council President Tozzi motioned to adopt **Resolution 2013-07-0999**, seconded by Council Soriano. 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 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, Construction/Property Maintenance, and Police
2. Contract Negotiations
3. Litigation - Library
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			
		Gara	X			
		Giraldi	X			
		Lobell	X			
	X	Soriano	X			
X		Tozzi	X			

Council Member Gara motioned to close the Executive Session and to return to the normal order of business, seconded by Council Member Giraldi. Motion carried.

Rayna Harris noted an office switch between Frank Taddeo, Property Maintenance/Housing Inspector and Glenn Stives, Tax Assessor.

After a short discussion no objection was noted.

**ADJOURNMENT**

Council Member Gara motioned to adjourn seconded by Council member Soriano. Motion carried at 9:23pm.

Respectfully submitted,

Rayna E. Harris, Borough Clerk

REH/cmd