

**BOROUGH OF RARITAN
REGULAR MEETING**

The Regular Meeting of the Borough of Raritan Council was held on October 22, 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, Andrew Sabilia and Donald Tozzi

Absent: None

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

FLAG SALUTE AND INVOCATION

Council President Tozzi led the flag salute and invocation.

PROCLAMATIONS

Mayor Liptak read the following Proclamations:

Proclamation

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Domestic Violence Awareness Month

WHEREAS, the problems of domestic violence are not confined to any group or groups of people but cross all economic, racial and societal barriers, and are supported by societal indifference; and

WHEREAS, the crime of domestic violence violates an individual's privacy, dignity, security, and humanity, due to systematic use of physical, emotional, sexual, psychological and economic control and/or abuse, with the impact of this crime being wide-ranging; and

WHEREAS, everyone deserves to live a life free from the fear of being hurt or killed by people who are supposed to love them; and

WHEREAS, in our quest to impose sanctions on those who break the law by perpetrating violence, we must also meet the needs of victims of domestic violence who often suffer grave physical, psychological and financial losses; and

WHEREAS, it is victims of domestic violence themselves who have been in the forefront of efforts to bring peace and equality to the home; and

WHEREAS, the Resource Center of Somerset has been serving people affected by domestic violence for over 35 years; and

WHEREAS, the Resource Center of Somerset agency services include emergency shelter, legal advocacy, outreach counseling, community education, volunteer Domestic Violence Response Teams working with local police departments, and more; and

WHEREAS, the Resource Center of Somerset provides services to survivors of domestic abuse - women, men and children - free-of-charge, and in English and Spanish.

NOW, THEREFORE, BE IT PROCLAIMED that I, Jo-Ann Liptak, Mayor of the Borough of Raritan hereby proclaim the month of October to be **National Domestic Violence Awareness Month** in our community, and do hereby commend the efforts of the Resource Center of Somerset in aiding victims of domestic violence; and to promote the Resource Center of Somerset 24-Hour Hotline at 866-685-1122.

Proclamation

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BREAST CANCER AWARENESS MONTH

WHEREAS, breast cancer is the second most commonly diagnosed form of cancer for women in the United States, expected to be detected in 232,340 American Women in 2013; and

WHEREAS, breast cancer remains the second leading cause of cancer death among American women and it is projected that it will claim 39,620 women in the United States in 2013; and

WHEREAS, although men are not as susceptible to developing this form of cancer as women, 2,240 men are expected to be diagnosed with breast cancer this year and while survival rates for men and women with breast cancer are similar at parallel stages, men report symptoms less frequently, and are therefore at a greater risk of developing an advanced case of breast cancer before detection; and

WHEREAS, death rates from breast cancer have been declining, and this change is believed to be the result of earlier detection and improved treatment; and

WHEREAS, mammography, an "x-ray of the breast": is recognized as the single most effective method of detecting breast changes that may be cancer long before physical symptoms can be seen or felt; and

WHEREAS, researchers, scientists, numerous nonprofit organizations, and breast cancer survivors are dedicated to discovering the cure for breast cancer and during the month of October, we acknowledge the extraordinary commitment and effort invested in this cause, and support those who are working towards a cure; and

WHEREAS, we recognize the breast cancer survivors among us and honor their faith and courage and over 2.5 million American breast cancer survivors today give us hope of a better future for those affected by breast cancer;

NOW, THEREFORE, BE IT PROCLAIMED that I, Jo-Ann Liptak, Mayor of the Borough of Raritan, do hereby proclaim October 2013 as Breast Cancer Awareness Month and encourage all citizens to learn the facts about breast cancer, invest in a healthy future by exercising regularly, maintaining a healthy diet, and limiting alcohol use, and obtain regular breast cancer screenings.

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 Yadlowski, 267 Weiss Terrace, Raritan, New Jersey 08869: Commented the US Supreme Court needs to be defied on prayer at Town Hall Meetings. He added the Republican Parties dealings with Mr. Lonagan was disgraceful, no endorsements or financial support. He added he is done with Christie, but may vote for him. He suggested the Obama Care is laughable.

Christine Chomberg, Executive Director of Resource Center Somerset County: Thanked the Borough for their support for the Domestic Violence.

MINUTES

1. September 10, 2013-Agenda Workshop Meeting

Council Member Gara motioned to approve September 10, 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			
X		Gara	X			
		Giraldi	X			
		Lobell	X			
		Sibilia	X			
	X	Tozzi	X			

2. September 24, 2013- Regular Meeting

Council Member Carra motioned to approve the September 24, 2013-Regular Meeting Minutes, 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			
		Sibilia	X			
		Tozzi	X			

3. October 8, 2013-Special Meeting

Council Member Lobell motioned to approve the October 8, 2013-Special Meeting Minutes, seconded by Council Member Gara. 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			
		Sibilia	X			
		Tozzi	X			

**PUBLIC HEARING AND ADOPTION OF ORDINANCES
ORDINANCE 2013-13**

An Ordinance Amending the Raritan Borough Code by Amending Section 217-14 to Add Officers Responsible for Enforcing the Provisions of Chapter 217 Entitled “Littering”

Council Member Gara motioned to open the hearing for Ordinance **2013-13** seconded by Council Member Carra. Motion carried.

No one spoke

Ordinance 2013-13

Council President Tozzi motioned to close the public hearing for Ordinance **2013-13**, seconded by Council Member Carra. Motion carried.

Ordinance 2013-13

Council Member Carra motioned to adopt Ordinance **2013-13**, seconded by Council Member. Motioned carried by the following roll call vote.

RESOLUTIONS

RESOLUTION 2013-10-127

Council Member Lobell motioned to adopt Resolution 2013-10-127, seconded by Council President Tozzi. 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):

1. Suresh Gaddam, 602 Griggs Drive, Bridgewater, NJ 08807
October to December 2013 in the amount of \$120.00

2. Wayne Tordo, 30 Wexford Way, Bridgewater, NJ 08807
November to December 2013 in the amount of \$80.00

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

RESOLUTION 2013-10-128

Council Member Gara motioned to adopt Resolution 2013-10-128, seconded by Council President Tozzi. Motion carried by the following roll call vote.

RESOLUTION AUTHORIZING THE BOROUGH OF RARITAN TO ENTER INTO A RECYCLING AGREEMENT WITH THE SOMERSET COUNTY BOARD OF CHOSEN FREEHOLDERS FOR 2014 RESIDENTIAL RECYCLING SERVICES

WHEREAS, the Somerset County Board of Chosen Freeholders has offered to provide shared services for the residential curbside pick-up of recyclable materials on a biweekly basis pursuant to an “Agreement Between Somerset County and its Municipalities for Recycling” (“Agreement”), attached hereto; and

WHEREAS, the Borough of Raritan has a need for the collection of its recyclable materials and desires to retain the services of the County pursuant to the Agreement for 2014; and

WHEREAS, the Chief Financial Officer has certified that funds will be available for payments due under the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan that the 2014 recycling agreement between the Borough and the County of Somerset for residential recycling services at an annual cost of \$23.85 per household is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to enter into the Agreement on behalf of the Borough.

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

RESOLUTION 2013-10-129

Council Member Lobell motioned to adopt Resolution 2013-10-129, seconded by Council Member Gara. Motion carried by the following roll call vote.

AUTHORIZING A CONTRACT WITH ANPE CORP

WHEREAS, the Borough of Raritan awarded a contract for the rehabilitation of 103 Thompson Street, Raritan (“Contract”) to the lowest bidder, Hayden Construction Group, pursuant to the Borough’s Affordable Housing Rehabilitation Program; and

WHEREAS, Hayden Construction Group has completed a portion of the rehabilitation work under the Contract but is unwilling and unable to complete the Contract; and

WHEREAS, the Borough desires to award the balance of the Contract in the amount of \$10, 880.00 to the second lowest bidder, ANPE Corp.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan as follows:

1. The Contract with Hayden Construction Group is hereby terminated; and
2. The Borough Council hereby awards the balance of the Contract to:

ANPE Corp., in the amount of \$10,880.00 for completion of the rehabilitation of 103 Thompson Street; and

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

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

RESOLUTION 2013-10-130

Council Member Gara motioned to adopt Resolution 2013-10-130, seconded by Council Member Carra. Motion carried by the following roll call vote.

ADOPTING A WAYFINDING PLAN

WHEREAS, Somerset Street and the Raritan Riverfront represent two complementary economic engines that need to be better linked to take full advantage of the services and recreational opportunities both have to offer; and

WHEREAS, the Raritan train station is only three blocks from Somerset Street and four blocks from the river, but rarely is the station thought of as providing convenient and direct access to either destination; and

WHEREAS, the Borough of Raritan has prepared a Wayfinding Plan to provide an attractive and easy-to-navigate pedestrian and bicycle route connecting the Raritan train station, the Somerset Street business district, and the Raritan Riverfront, taking full advantage of the train station as a unique and alternative gateway to Raritan’s business and recreational opportunities; and

WHEREAS, the Wayfinding Plan is consistent with and helps implement the Borough’s Complete Streets Policy, Sustainable Community Plan, and Orlando Drive Land Use Plan.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council adopts the *Wayfinding Plan – From Station to Riverfront* dated September 6, 2013 as prepared by the Borough Planner, David Maski, PP, AICP.

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

RESOLUTION 2013-10-131

Council Member Lobell motioned to adopt Resolution 2013-10-131, seconded by Council President Tozzi. Motion carried by the following roll call vote.

AUTHORIZING EXECUTION OF A CONTRACT WITH N.A. CONSTRUCTION FOR REPAIR OF RARITAN PUBLIC LIBRARY ROOF

WHEREAS, N.J.S.A. 40A:11-6.1 provides that a municipality shall award a contract that, in the aggregate, is less than the bid threshold but 15% or more of that amount without public advertising for bids if the municipality has solicited at least two competitive quotations; and

WHEREAS, the Borough of Raritan solicited and received at least two competitive quotations from vendors for necessary repairs to the Raritan Public Library roof; and

WHEREAS, on October 8, 2013 the Borough Council accepted the lowest priced quotation submitted by Jeff Alte Roofing, Inc. in the amount of 6,777.00; and

WHEREAS, Jeff Alte Roofing, Inc. is unable and unwilling to perform the roof repairs; and

WHEREAS, the Borough Council desires to accept the next lowest priced quotation from N.A. Construction in the amount of \$7,200.00; and

WHEREAS, the Chief Financial Officer has certified that funds will be available for payment in the amount of \$7,200.00 to N.A. Construction.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Raritan that the contract for repairs to the Raritan Public Library roof is hereby awarded to N.A. Construction in the amount of \$7,200.00; and

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized to execute said contract with N.A. Construction.

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

APPROVAL OF BILLS LIST

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

APPROVAL OF BILLS LIST

BE IT RESOLVED that claims in the amount of \$2,904,693.18 having been listed on the Bill List and recorded in the files of the Borough Hall, and are hereby approved to be paid.

Dated: October 22, 2013

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

PURCHASE ORDER REQUESTS

1. Beekman Homestead Farms in the amount of \$1,808.00

Council Member Gara motioned to approve the above purchase order for \$1,808.00, 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			
		Sibilia	X			
	X	Tozzi	X			

2. Edmunds & Associates in the amount of \$2,800.00

Council Member Gara motioned to approve the above purchase order for \$2,800.00, 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			
		Sibilia	X			
	X	Tozzi	X			

3. Fire Apparatus Repair in the amount of \$4,906.75

Council Member Gara Motion to approve the above purchase order for \$4,906.75, 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			
		Sibilia	X			
	X	Tozzi	X			

COMMITTEE AND LIAISON REPORTS

Council President Tozzi gave the following report:

Public Work

DPW is still very busy with leaf removal.

Historic and Cultural Committee

The next meeting will be on November 5, 2013.

River Fest

A thank you dinner was sponsored by Steeple Chase at Uncle Vinnie’s Restaurant for committee members.

Council Member Gara read the following report:

Economic Development Committee

The Economic Development Committee will be holding its regular meeting tomorrow Wednesday, October 23, 5:30pm in the Community Room. The Borough Engineer and Planner will be present to discuss the vision and redevelopment plan for Orlando Drive. This is an open public meeting and all are welcome to join us for this important discussion.

Police Department

The monthly report for September - Received 1176 general complaints, responded to 53 motor vehicle accidents, 136 motor vehicle stops. I would like to congratulate Lt. Kenneth McCormick for being selected as our new Chief of Police. Lt. McCormick will be sworn in on Friday, January 3, 2013 at 7 pm. Congratulations Lt. McCormick.

Office of Emergency Management

The printer has been received for the OEM laptop and will be placed in the cabinet in the conference room. A Purchase Order request has been submitted for the emergency traffic diversion equipment needed to fill the new OEM trailer. Once approved the equipment will be ordered.

Council Member Carra gave the following report:

Board of Health

The meeting for October was canceled, next meeting November 13, 2013.

Personnel

The committee will reconvene on Thursday, October 24, 2013 policy and job description will be discussed.

Congratulations to Lieutenant McCormick promoted to Borough Chief of Police.

Council Member Sibilgia gave the following report:

Environmental Commission

Elizabeth Horvath, Chairperson will be resigning and the Commission will be looking for volunteers.

Board of Education

Interviews for Superintendent will be held on October 28, 29, 30 and November 11, 13, 25.

Climate survey will be posted on the website soon.

Council Member Lobell gave the following report:

Senior Meeting

Meeting rescheduled to October 23, 2013.

Recreation

The Halloween Parade will be on October 31, 2013, 6pm at Borough Hall rain or shine. The new audio equipment has been purchased and will be used that evening. The winter programs have been posted and include volley ball, cheer leading and soccer. Santa Clause is coming to town on December 8, 2013.

CORRESPONDENCE

Mayor Liptak commented 1931 eighth grade graduation program form Raritan and Green Knoll Schools was donated to the Borough of Raritan. She noted a bill for \$5,000 was received from the auditors for Library services. She added this was questioned do to no billable times or subjects matter discussed on the bill. She noted a new itemized bill has been received and the auditor will attend the next Library meeting on November 21, 2013 for discussion/questions. She read a thank you letter sent by the Eagle Scouts.

OLD BUSINESS

Police off duty work

Council Member Giraldi commented the Police officers in the Borough should be allowed to do what most other Police officers in the County can do, and that is be able to work off duty. He added as long as it does not interfere with their normal work schedules. He noted Lieutenant McCormick did a survey throughout Somerset County and a large amount of Police Departments including the Sheriff's Department are able to work off duty. He explained off duty is over and above normal work schedules, a few examples are weddings, crowd control or security in a retail store.

Daniel Jaxel advised Council to review the history and the concerns of liability, injury or damage of equipment.

Mayor Liptak noted this is something that is worth review. She suggested sending this to the Police Committee for further discussion.

Tree Trimming

Council President Tozzi asked who is responsible for the maintenance of the trees at the Library. He added is the Borough liable for this due to ownership of the property.

Mayor Liptak noted this is predicted by lease. She added we need to meet to discuss this issue with the Library.

Tree Removal

Council Member Lobell noted the Chamber of Commerce will make a donation of a 10 foot Christmas tree to the Borough.

Stanley Schrek replied DPW should be called or whoever will be doing the project. He recommended blue spruce or white pines would be good for the location in front of the Municipal Building.

Fire Company Agreement

Council Member Lobell voice concerns with a contract for the Fire Department which seems to alienate them further from the Borough. He added is this due to liability and if so who protects them. He suggested the Borough should protect them 100% because they protect the residents and their property in the Borough.

Mark Anderson responded and explained alternatives/options. He added the Fire Department is a Separate Organized Corporation. He noted a solution is being worked on.

Rayna Harris asked if Council wanted to schedule a Special Meeting on November 12, at 6pm to discuss/answer questions.

All were in agreement.

NEW BUSINESS

Council Member Lobell commented on the traffic reports for Frelinghuysen and Bell Avenues issued by the Police Department. He voiced concern for the speed limit of 25mph throughout the town is being enforced at 38 mph.

Lieutenant McCormick explained this is at the discretion of the Officer. He noted in Court under the 12mph mark this would result in no ticket or would be dropped down. He added a higher speed ticket would results in 2 points on the drive's record.

Council Member Sibilia suggested residents have complained about the speeding on Frelinghuysen and Bell Avenues. He added they have suggested speed humps or bumps because of rush hour speeders.

Stanley Schrek noted fog lines were ordered by the County and they should have been done already.

Council Lobell replied the County did come out but they were concerned the Borough would be liable for narrowing the road, therefore they were not done.

Mayor Liptak suggested Stanley Schrek speak with the Somerset County Engineer.

Council Member Gara suggested giving the Raritan Police Department 48 hour advance notice before coming out again.

Council Member Giraldi suggested having the Police Department have a car in the area to run radar and write some tickets for an immediate fix. He added there are a number of complaints and concerns about this.

Stanley Schrek suggested having a power point presentation about traffic calming.

PUBLIC COMMENTS

Mayor Jo-Ann 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 Yadlosky, 267 Weiss Terrace, Raritan, New Jersey 08869: He commented you should be commended, this is a Town Hall Meeting. He suggested the American Bar Association when talking law suites is the biggest criminal outfit in the western hemisphere and they are taking this country down. He suggested Council should defend every law suit that is directed toward this Borough if it benefits your constituents no matter what. He complimented members of Council for their good work.

EXECUTIVE SESSION

In public Mayor Jo-Ann Liptak read the following Resolution to enter into an Executive Session.

EXECUTIVE 2013-10-132

Council Member Giraldi motioned to adopt Resolution 2013-10-132, seconded by Council President Tozzi. Motion carried by the following roll call vote at 8:25pm.

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

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			
X		Giraldi	X			
		Lobell	X			
		Sibilia	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 8:57pm.

Respectfully submitted,

Rayna E. Harris, Borough Clerk

REH/cmd