

**BOROUGH OF RARITAN
AGENDA-WORKSHOP MEETING**

The Agenda-Work Shop Meeting of the Borough of Raritan Council was held on November 12, 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. Copies of notices were also 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 Sibiliala, Donald Tozzi

Absent: None

Also Present: Mayor Jo-Ann Liptak, Daniel Jaxel, Borough Administrator; Stanley Schrek, Borough Engineer; Mark Anderson, Borough Attorney; David Maski, Borough Planner; Lieutenant Kenneth McCormick, Borough Police Department and Rayna E. Harries, Borough Clerk

FLAG SALUTE

Mayor Jo-Ann Liptak led the flag salute.

INTRODUCTION OF ORDINANCES

ORDINANCE 2013-14

Council Member Lobell motioned for the Introduction of Ordinance 2013-14, seconded by Council President Tozzi. Motion carried by the following roll call vote.

**AN ORDINANCE ESTABLISHING CHAPTER 21 OF THE BOROUGH CODE AS
“FIRE PROTECTION SERVICES” AND DESIGNATING RELIEF HOSE COMPANY
NO. 2 AS THE OFFICIAL PROTECTIVE FIRE SERVICE AGENCY OF THE
BOROUGH OF RARITAN**

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

Mayor Jo-Ann Liptak read the following notice: 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, November 26, 2013 at 7:00 PM or at any time and place to which the meeting for the further consideration of the ordinance shall be adjourned.

RESOLUTIONS

RESOLUTION 2013-11-133

Council Member Lobell motioned to adopt **Resolution 2013-11-133**, seconded by Council President Tozzi. Motion carried by the following roll call vote.

RESOLUTION AUTHORIZING SUBMISSION OF THE FISCAL GRANT EXTENSION OF THE 2013 BRIDGEWATER-RARITAN MUNICIPAL ALLIANCE GRANT IN THE AMOUNT OF \$37,782

WHEREAS, Raritan Borough, County of Somerset, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and

WHEREAS, the Raritan Borough Council further recognizes that it is incumbent upon not only public officials, but upon the entire community to take action to prevent such abuses in our community; and

WHEREAS, Raritan Borough and the Township of Bridgewater were approved for a Municipal Alliance grant for the January 1, 2013 through December 31, 2013 grant term; and

WHEREAS, the Governor’s Council on Alcoholism and Drug Abuse has extended the 2013 grant term until June 30, 2014, in order to transition the grant to a fiscal year rather than calendar year cycle; and

WHEREAS, funding has been made available to the Bridgewater-Raritan Municipal Alliance in the amount of 50% of its approved 2013 grant total for the six-month extension period of January 1, 2014 to June 30, 2014, contingent upon meeting the 25% Cash Match and 75% In-Kind Match grant requirement for the extension funding;

NOW, THEREFORE, BE IT RESOLVED by the Raritan Borough Council that:

1. The Mayor and Alliance Chairperson are authorized to sign the original of this grant extension.
2. Bridgewater Township is hereby authorized to submit a grant extension for the Bridgewater-Raritan Municipal Alliance for the period of January 1, 2014-June 30, 2014 in the amount:

DEDR	\$18,891.00
Cash Match	\$ 4,722.75
In-Kind	\$14,168.25

3. Raritan Borough acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.
4. Bridgewater Township accepts subsequent award of this grant.

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

RESOLUTION 2013-11-134

Council Member Gara motioned to adopt **Resolution 2013-11-134**, seconded by Council Member Carra. Motion carried by the following roll call vote.

AUTHORIZING MUNICIPAL BUDGET APPROPRIATION TRANSFER

WHEREAS, the Local Budget Law, N.J.S.A. 40A:4, provides for the transfer of funds between current year budget appropriations, should it be deemed necessary, from November 1 of the current year through the first three months of the subsequent year; and

WHEREAS, it has become necessary for one such transfer to be made at this time;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan that the Chief Financial Officer is hereby authorized and directed to transfer the amounts listed below, to and from the appropriations listed hereafter.

<u>From Account</u>	<u>Account No.</u>	<u>Amount</u>
Sanitation, OE	3-01-26-305-001-292	\$ 25,000.00

Total	\$ 25,000.00
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<u>To Account</u>	<u>Account No.</u>	<u>Amount</u>
Legal Services	3-01-20-447-001-208	\$ 25,000.00

Total	\$ 25,000.00
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MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
	X	Carra	X			
X		Gara	X			
		Giraldi	X			
		Lobell	X			
		Sibilia	X			
		Tozzi	X			

RESOLUTION 2013-11-135

Council Member Gara motioned to adopt **Resolution 2013-11-135**, seconded by Council Member Giraldi. Motion carried by the following roll call vote.

AUTHORIZING 2013 COMMUNITY DEVELOPMENT GRANT AGREEMENT FIFTH STREET SIDEWALK IMPROVEMENTS

WHEREAS, the Borough of Raritan wishes to enter into grant agreements with Somerset County for U.S. Department of Housing and Urban Development Community Development funds for the following project:

PROJECT: FIFTH STREET SIDEWALK IMPROVEMENTS
GRANT AMOUNT: \$97,695.14
SUB GRANT NO: 13-U1631-16

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan that the grant agreement for the above project is approved and the Mayor and Borough Clerk are hereby authorized to sign said agreement.

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

PURCHASE ORDER REQUESTS

1. Edmunds & Associates in the amount of \$5,513.00

Council Member Carra motioned to approve the above purchase order request for \$5,513.00, seconded by Council Member Gara. 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			
		Sibilia	X			
		Tozzi	X			

2. Consolidated Environmental in the amount of \$2,970.00

Council Member Lobell motioned to approve the above purchase order request for \$2,970.00, 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			
		Sibilia	X			
		Tozzi	X			

DISCUSSION

ENGINEER’S REPORT

Stanley Schrek gave the following Engineer’s Report:

Orlando Drive, Phase 2

A preconstruction meeting was scheduled for November 7. Due to the late time of year, as well as the contractors projected schedule, I decided it would be best to delay the start of the project until early spring. Otherwise we would have to deal with a muddy mess and possible winter conditions for about six weeks. The contractor and NJDOT both agree. The bid prices will hold.

Orlando Drive Planning Implementation

On November 6, Mayor Liptak, Councilman Tozzi, myself and two staff engineer’s from my office attended a meeting with NJDEP Land Use regulatory personnel to discuss permitting requirements to enable the construction of an Open Air Market at Block 116.02, Lot 11 with the floodway of the Raritan River. We discussed the construction of a pole supported pavilion and the construction of impervious surface along with methods to mitigate any flow obstruction and assure water quality and site discharge compliance. I will present associated permitting costs and an estimated approval timeline at the meeting.

Green Checklist

The LUB approved the Green Checklist which is a “punch list” of sustainable site and building construction methods which will be presented to applicants when they pick up a land use application package. Dave Maski will be present to discuss.

Green Check List/ANJEC Grant

David Maski commented this list has been under construction for a while with the Planning Board and Environmental Commission. He noted this is informational only. He referenced two Resolutions and indicated, in order to become eligible for credit for the green check list you would need to adopt at least one.

Council Member Lobell voiced his concerns for new comers moving into older buildings. He asked what happens down the line.

David Maski replied making requests is up to the Council.

Mayor Liptak noted we can adopt and then grandfather in anything going forward should meet this check list.

Council Member Lobell asked if there were additional fees.

David Maski noted just two or three additional forms.

Stanley Schrek replied all these things are good environmentally. He added it gives a heads up to applicants and a better site plan. He noted it is good awareness for the town and saves time.

Council Member Giraldi noted he agreement with Council Member Lobell. He added he does not want this to become a slippery slope.

Council Member Gara noted the Environmental Commission has worked on this for a while. She added this is just for information.

Commission/Committee/Board Appointments

Mayor Liptak commented a number of volunteers are resigning from various Boards/Committees/Commissions. She requested names of anyone who wished to volunteer.

DEP Meeting

Stanley Schrek noted Mayor Liptak, Council Member Tozzi and I had a meeting on November 6th with DEP. He commented this was a fact finding mission regarding the Driving Range in the floodway area. He added there can be no structures only with hardship need. He added there cannot impede any flow need and some kind of hard surface compliant with mitigation is do able. He noted impervious surface costs involved would be \$26,000 and the permit is an additional \$25,000. He added the timeline for the site plan is seven months. He noted the wetlands issue involved is a bald eagle habitat, so a 50 feet- 150 feet buffer would be needed.

Council Member Giraldi asked could we replace the driving range next year if we wanted.

Council Member Lobell asked while this is all being reviewed can we extend the lease for the driving range an additional year.

Council President Tozzi recused himself at 7:26pm

Mark Anderson explained you would need to bid due to the lease expiration. He added this could be a limited lease.

Stanley Schrek noted the permit process is going to take at least seven months and only the Borough can get the DEP permit independent of each other lease, permit and request for proposal.

Council Member Giraldi asked as far as land use, what is the difference between this and the property across the street.

Stanley Schrek replied he would have to look into it. He added there were changes in November 2007. He added a structure in that area would not be permitted. He noted it must be in the shadow of existing structures.

Mark Anderson replied Governing Body sets the terms and notice for the lease. He added there is no exception to the law with the structure removal.

Council Member Gara motioned to have the Qualified Purchasing Agent and Borough Attorney under the direction of the Borough Administrator will prepare a Request for Proposal for the Lease, 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			
		Sibilia	X			
		Tozzi			X	

Council Member Lobell asked how long this process would take.

Stanley Schrek noted the following funding issues:

1. Bondany Ground Survey and typography -\$9,000.
2. Permitting- \$17,000 (2014 Budget)

Council President Tozzi returned to Dais at 7:48pm

Stanley Schrek suggested it would take about ten weeks to get the site plan together with a seven months total timeline.

Council Member Gara motioned to go forward with the permitting process, 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			
		Sibilia		X		
		Tozzi			X	

Daniel Jaxel suggested this should not exceed the 2013 budget.

General Consent noted

Somerville Court Sessions

Council Member Gara noted the issue has been resolved after meeting with Mayor Gallagher, Somerville Borough.

Police – Car fax

Council Member Gara noted Lieutenant McCormick had a meeting last week with Car Fax and gave the following information quotes for software packages for distribution.

Lieutenant McCormick noted Car Fax is a private vendor and a distribution searchable system. He noted there is a \$5.50 Car Fax fee for the report and the Borough can charge up to a \$5.00 fee under their user agreement. He noted the service would allow reports to be available 24/7 directly from Car Fax. He added Council would establish a fee and a request for revenue made by the Police Department for funds to go into the general fund.

Council Member Gara added there is no contract, no fee or cost to the Borough.

Council Member Giraldi asked who is using this service.

Lieutenant McCormick responded no other Somerset County Municipality is using Car Fax.

General consent for further information and fees to be established

Elected Officials Training

Training date for January 21, 2014

General Consent.

2014 Meeting Dates

November 25, 2014 and December 16, 2014 will be the new meeting dates

General Consent given for both dates

Mayor Liptak suggested having Executive Sessions prior to meetings from 6:00pm-7:00pm.

Discussion-No agreement

Somerset County Tax Administrator's Proposal

Daniel Jaxel explained the proposal and the current system. He suggested not recommending the proposal at this time. He added it costs money, but the assessed values are more realistic.

Discussion -No was general consent

Tree Trimming at Library

General consent -Absolute Tree Experts, LLC for \$1,650.00

Banner Requests: Wine tasting and Santa Comes to Raritan

Daniel Jaxel commented St Ann's School has made a request to hang a banner on Somerset Street for a wine tasting event they are sponsoring.

No was the general consent

Daniel Jaxel commented the Recreation Committee made a request to hang a banner on Somerset Street for Santa Comes to Raritan Borough.

Yes was the general consent

Service Quotation - Pumping Services for monthly Cardinal Woods pump station inspections

Daniel Jaxel gave the following quotes for the inspection service fee of \$260 per 10 months per year and twice a year fee of \$400 for a total inspection.

No objection

Accepting Resignation, Michael Acquaviva

Mayor Liptak read a letter of resignation from Michael Acquaviva member of the Raritan Borough Police Department. Mayor Liptak wished him well.

Cell Phone Reimbursement, Fire Prevention

Daniel Jaxel suggested being aware of request costs of a new phone would be \$21.00 a month to the Borough.

No objection not exceed \$25.00

GPS Proposal

Daniel Jaxel noted the following proposals:

1. Lease for \$29.99 per month
2. Own for \$23.99 per month and the cost of hardware

Advantage of lease is the upgrades. The yearly cost is \$3,000.

Council Member Gara noted the State of New Jersey wants to implement this proposal by 2015 for all municipalities. She added it is more beneficial to lease the service. She offered after five years we automatically own the equipment. She noted there are perimeters that are set automatically with notifications.

Daniel Jaxel noted the contracts for two separate systems sent to the Borough Attorney for review.

Council Member Lobell asked for the number of vehicles and the total annual cost.

Daniel Jaxel replied the Police Department has 8 vehicles and the Department of Public Works has 9 vehicles at a cost per year of \$3,240.00.

Lieutenant McCormick explained preference of lease plan including full and over time savings.

Electrical Changes, Municipal Building

Daniel Jaxel commented that the Recreation Committee would like to have three outlets installed on the outside of the Municipal Building for use with various sponsored events by the Borough. He added additional quotes are needed.

General consent for additional quotes

CORRESPONDENCE

Council Member Gara noted a yoga flyer was requested to go into the Borough's Kiosk on Somerset Street. No objections

Council Member Sibilina noted the Fire Department and the Rescue Squad are excepting donations at this time.

Mayor Liptak noted Officer Steve Bonchek is a true asset to the Police Department. She added This Friday is BOBO (buy one Bring one) and Toys for TOTs are in effect at the Borough.

Council President Tozzi thanked the Police Department for the decrease in traffic speeding on Bell Avenue. He added his congratulations to Council Members Sibilina and Council Member Giraldi on their election to Council.

Council Member Gara noted a few weeks ago we discussed the Extra Duty request by the Police Officers. She noted could this be resolved by a Resolution. General consent to discuss Extra Duty Requests in Executive Session

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

Richard Yadowski, 267 Weiss Terrace, Raritan, New Jersey 08869: Commented he is against the Police and DPW having a GPS system it is unnecessary. He suggested employees need to be more responsible. He added you don't need to put any farm project in that area four days a week when other communities only have this for one day. He added this project is ridiculous. He suggested the hardship will be on Stop-N-Shop.

Anthony DeCicco, 10 Anderson Street, Raritan, New Jersey 08869: Asked what the first motion was this evening.

Anthony DeCicco suggested wouldn't an option be to call and see if they wanted to renew their lease. He asked if a lease expires doesn't the Borough have the right to call and see if they want their lease extended.

Mark Anderson noted Municipalities are not allowed to do this they are held to a different standard. He added they do not have that ability.

Anthony DeCicco suggested you are elected to help the residents why couldn't someone pick up the phone and tell Mr. Tozzi his lease was up. He added this is a common courtesy.

Council Member Lobell suggested it should be the responsibility of the person leasing the property to know when their lease is up and act accordingly.

Erica Patente, 47 East Somerset Street, Raritan, New Jersey 08869: Commented it is sad that a recreational outlet for the Town for so long will be gone. She suggested we should be looking out for our Towns people and businesses. She noted GPS system for the Police Department is understandable especially in an emergency situation, but for Public Works it is just ridiculous.

Public hearing closed at 9:04pm.

EXECUTIVE SESSION

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

RESOLUTION 2013-11-136

Council President Tozzi motioned to adopt Resolution 2013-11-136 seconded by Council Member Lobell. 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 and Police
2. Contract Negotiations
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			

		Gara	X			
		Giraldi	X			
	X	Lobell	X			
		Sibilia	X			
X		Tozzi	X			

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

Council Member Gara noted she and Council Member Carra assessed the office at the Department of Public Works. She added it was their findings that a part-time person be hired for the Department of Public Works. Daniel Jaxel noted currently a position is opened for an Administrative Assist for DPW at \$11.00 per hour with a maximum of 18-20 hours a week.

Council Member Giraldi motioned to approve an Administrative Assist for DPW at \$11.00 per hour with a maximum of 12-20 hours per week, seconded by Council President Tozzi. Motion carried by the following roll call vote.

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

Council Member Giraldi suggested a decision needs to be made about the Lieutenant position in order to get the extra month and a half to train. Council Member Lobell noted there may be a lack of administration skills. Mayor Liptak noted limited quality in the candidate pool and the concerns would be the possibility of having five rookies.

Council Member Giraldi suggested the training is on the street. He added the Chief of Police is responsible to make sure this people are trained properly. He noted there are not enough Police personnel to even cover basic overtime and to do the job were told needs to be done. Council Member Lobell suggested we hire four more officers.

Council Member Giraldi motioned not to hire another Lieutenant but to reallocate the funds to hire an additional Patrolman for a total of 18 Police officers as of January 1, 2014, seconded by Council Member Lobell. 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			
		Sibilia	X			
		Tozzi	X			

Council Member Gara noted the following parameters were discussed with Lieutenant McCormick for Extra Duty. Rayna Harris noted a formal Resolution would be on November 26, 2013 Regular Meeting.

:

1. No alcohol
2. Would not be inside the establishment
3. No handling of money
4. At the Officer in charge's discretion
5. Mainly crowd control and public safety

Council Member Gara motioned to approve Extra Duty with the above stipulations, 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			

Council President Tozzi motioned to advertise for a Police Officer that would be replacing the position vacated by Officer Michael Acquaviva, 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			
		Lobell	X			
		Sibilia	X			
X		Tozzi	X			

ADJOURNMENT

Council President Tozzi motioned to adjourn, seconded by Council Member Giraldi. Motion carried at 10:26pm.

Respectful submitted,

Rayna E. Harris, Borough Clerk

REH/cmd