

**BOROUGH OF RARITAN
REGULAR MEETING**

The Regular Meeting of the Borough of Raritan Council was held on January 28, 2014 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 17, 2014. 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 Sibia and Donald Tozzi

Absent: None

Also Present: Mayor Jo-Ann Liptak, Daniel Jaxel, Borough Administrator; Stanley Schrek, Borough Engineer; Mark Anderson, Borough Attorney; Kenneth McCormick; Chief of Police and Constance M. Del Rocco, Deputy Borough Clerk

FLAG SALUTE

Council Member Gara led the flag salute and invocation

PROCLAMATION

Mayor Liptak presented Robert Andreychak, Assistant Director of Recreation with the following proclamation:

Proclamation

**ROBERT ANDREYCHAK
ASSISTANT DIRECTOR OF RECREATION**

WHEREAS, the Borough of Raritan is fortunate to have of countless exceptional civic minded people within our community who excel at an eclectic and diverse range of interests and activities; and

WHEREAS, one such person is Robert Andreychak a life-long resident of the Borough of Raritan; and

WHEREAS, Robert Andreychak has participated in the Recreation Department since May, 1988 through his hard work and service to Raritan Borough; and

WHEREAS, beyond his comprehensive knowledge of the recreation field and his technical skills Robert Andreychak brought a caring nature to his position as Assistant Recreation Director; and

WHEREAS, thanks to his exceptional performance and efforts with his assistance in developing programming with an adaption to the times such as Zumba and Cheerleading along with Halloween Parade, Santa comes to Raritan and the Easter Egg Hunt; and

WHEREAS his hard work and service to others, has demonstrated his outstanding abilities that are documented by the hours of service he has given; and

NOW, THEREFORE, I, Jo-Ann Liptak, Mayor of the Borough of Raritan, New Jersey, on behalf of the Borough Council, staff and residents, do here by express our appreciation to Robert Andreychak for his Twenty-Five years of service to the Borough of Raritan community.

Robert Andreychak thanked Mayor and Council.

PROCLAMATION

Mayor Liptak presented Richard Bartolucci, Director of Recreation with the following proclamation:

Proclamation

**RICHARD BARTOLUCCI
DIRECTOR OF RECREATION**

WHEREAS, the Borough of Raritan is fortunate to have of countless exceptional civic minded people within our community who excel at an eclectic and diverse range of interests and activities; and

WHEREAS, one such person is Richard Bartolucci a life-long resident of the Borough of Raritan; and

WHEREAS, Richard Bartolucci has participated in the Recreation Department since April, 1979 he is the “complete package” possessing strong technical, managerial, interpersonal skills and the hard work with outstanding leadership ability; and

WHEREAS, he has been committed to continuously improving the operations of the Recreation Department and programmatic offerings provided to our residents; and

WHEREAS, of particular note his involvement in getting programming up with an adaption to the times such as Zumba and Cheerleading along with Halloween Parade, Santa comes to Raritan and the Easter Egg Hunt; and

WHEREAS, Mr. Bart (Bartolucci) affectingly named by the Department volunteers brought a caring nature to his position as Recreation Director; and

WHEREAS, having been a self-described “Rec Kid” in his youth, Mr. Bartolucci understands the important role that a Recreation Department can play in the lives of kids and the community; and

WHEREAS, Mr. Bartolucci was also a fiscally “smart” and conscious about working within the budget and doing a great deal with limited funds, conserving the Borough resources; and

NOW, THEREFORE, I, Jo-Ann Liptak, Mayor of the Borough of Raritan, New Jersey, on behalf of the Borough Council, staff and residents, do here by express our appreciation to Richard Bartolucci for his Thirty-Five years of service to the Borough of Raritan community.

Richard Bartolucci thanked Mayor and Council.

Council Member Lobell read the following statement:

I would like at this time to make a statement about my disappointment in this Council. This decision on the possible replacement of the Borough Attorney in no way is being made in the best interest of the citizens of Raritan. I have given facts and figures on the cost of our legal representation. This is not to mention the outstanding representation we have been given.

I have asked several times members of this council their reason to seek new representation. I have yet to get an answer that has any validity. This makes me feel there are either personal or political reasons for the decision that is going to be made. It is our responsibility as representatives of the people to be able to justify in public the reasons any decision is made. The people are owed that courtesy.

One last point I would like to make about this councils decision on our legal representation. I for the life of me can't figure out why, if this council is dissatisfied with Mr. Andersons legal services, why then did they decided to retain his services for the Gannett case. Which by the way was a the correct decision.

This case is by far the most important and costly case Raritan has ever had to defend. It has far reaching implication that will affect every town in the State if lost. It simply does not make any sense or show any logical thought has been given to this decision. If we have enough confidence in Mr. Anderson to defend Raritan in its most important and costly case, Why then, don't we want his representation to write ordinances and resolutions. I am so disappointed I can't put it into words.

With that being said I would like every citizen of Raritan to be made aware that I will be leaving the Republican Party and registering as an Independent. I will do this after consulting with the board of elections. I have always asked the support of all the citizens of Raritan and that is why when I ran for council I campaigned to every household in Raritan regardless of Political Party. If I decide to run again it will be as an Independent.

Lastly to the citizens of Raritan, you can be sure that I will always work for you. I in no way am seeking to benefit personally from being your representative on this council. My decisions will always be made in the best interest of you and the Borough of Raritan.

Thank you

Council Member Gara read the following statement:

When I was first elected to office in 2010 I made a commitment to the resident of this Borough and promised to always, no matter what, hold myself to the highest of standards and always look out for our community with the upmost respect and morality. I am proud to say that is exactly what I have done. It is my opinion that in 2010 the Council was not conducting themselves in the best interest of the Borough and it is with much sadness and disappointment that I must now say the same for the current council.

Over the past several months we have had a change in council not only in a member but several other members' agendas. I feel we now have elected officials governing from street politics as well as political and personal favors. It has become very apparent that we have individuals sitting here today that have not and continue to not read the necessary information or facts provided to them, simple making decisions based on opinion and political expediency. We have individuals targeting certain employees for no good reason other than to flex their muscles rather than focus on the campaign promise and commitments they made to this borough. We have individuals making decisions based on pay backs, spite as well as who is friends with whom. We have individuals voting in the best interest of themselves and not the Borough. We have individuals voting down issues they have no knowledge or history about. At previous council

meetings when questioned from the public these individuals have been asked about some of the decisions they have made and their response has collectively has been “we have decided” That comment leaves me very concerned as to how they have made these decisions. I can assure you I have never been in a caucus, executive or public meeting having any of these conversations leaving me to wonder just how, when and where the decisions were made. I find it highly offensive that I am being approached by residents and questioned on matters being discussed in executive sessions. It is my strong opinion that the decisions they are making are NOT in the best interest of Raritan Borough but rather taking care of old family vendettas, personal friends, as well as personal needs. I have never made a decision based on my personal needs or wants nor have I ever made a decision based on politics. I have learned early on that being an effective elected official requires a lot more work than most people can understand. There is an enormous amount of reading, research, and time necessary to be certain that the decisions and votes you make are both in the best interest of the short and long term ramifications of this Borough

I, in good conscience cannot sit back and accept this type behavior. I cannot and will not be associated with these four sitting republicans on this council since they choose to go against everything I and the Republican Party is supposed to stand for. I find the arrogant, cavalier, self-serving attitude deplorable and take great offence to it. None of these people have shown their willingness to put in the time, effort or research that is required to make intelligent decisions. But instead have decided to govern for the few not the many. Therefore, I am declaring myself an independent republican, maintaining my true political values as a Republican and the Republican party, I have always been and will always remain a Republican but I am disassociating myself with this group because I take my position on council and my personal integrity seriously and my representation includes every citizen in Raritan not just a select few.

I understand that making this statement I am putting myself in the cross hairs of these current council members as well as their cronies. I am willing to take on that battle for it is the same battle I took on in 2010. I will continue to voice my opinion on this council and try to guide this council on what I believe is best for this community in both short and long term. I will continue to base all my decisions on the facts presented before me. I will not compromise my values, integrity and hard work that has helped move Raritan in the right direction. I have made to many personal sacrifices and because of my dedication and commitment my family has also made many sacrifices therefore, I cannot sit back and watch four years of hard work go down the drain because of personal agendas. It has become quite apparent that the four votes will consistently be casted against me and my decisions regardless of the facts placed in front of them so I am urging ALL residents to please attend council meetings and please make your elected official's be accountable for their own individual actions.

Thank you !

Mayor Jo-Ann Liptak read the following statement:

I believe that the most effective, responsible, and responsive government is government closest to the people. I believe that the proper role of government is to provide for the people only those

critical functions that cannot be performed by individuals or private organizations and that the best government is that which governs least. Those are two important tenants of the Republican Party and I support those ideals and, when I registered to vote in 1967, I proudly declared myself a Republican. I have always been a Republican. I come from a Republican family and I always will be a Republican. However, I can no longer remain silent about what is happening within this all Republican council. For the past four years you have been a cohesive group who worked well together and no one was concerned about who got credit for accomplishing tasks just as long as they were completed. I recall mentioning in my re-organization speeches that you were such a cooperative group and that everyone had the wellbeing of the Borough as their main focus. You could agree to disagree with one another and yet remain steadfast on the good of the order. Something has changed and some members of the council have caused that cooperative group to become a swamp of dysfunction. We now have RINO's (Republicans in Name Only) sitting here. Therefore, because I still believe in the true Republican philosophy and not the philosophy as defined here in Raritan, I am declaring myself an Independent Republican. To paraphrase President Reagan "I did not and will not leave the Republican Party; the Raritan Republicans left me."

We have a council person who calls Raritan a dump and yet that individual has never taken any initiative to work to make their own quality of life and that of their neighbor any better. We have councilpersons with laissez-faire attitudes coming to council meetings and budget meetings unprepared. They have not taken the time to read the material to be discussed and then they cast an uninformed vote. We have council persons who are arrogant and have said publicly that they do not need to respond when asked a question by the public during a meeting. We have a councilperson that, after sitting on this council for multiple terms, is still sucking off the public benefits tit. We have council people who are so ego driven that they do not know fact from fiction any longer. We have council people who do not work for the good of the community but for what benefits their family. We have council people who cannot control their temper and verbally assault a fellow councilperson using the vilest language because they do not agree with a position taken. We even have council people who have made disingenuous remarks about our immigrant populations. None of you had family on the Mayflower and all of us had ancestors who were immigrants.

It seems that street politics are alive and well again and living in Raritan. We do not govern by cutting deals and making promises of potential promotions before interviews take place. We do not govern by the word on the street but what is in the best interest for everyone whether Republican, Democrat, Undeclared, or Independent voters. You represent all constituents.

I am fully aware that this petulant cadre of people and their cronies will target me and try to discredit me and perhaps even my family. It won't be the first time that it's happened. As the mayor, I have worked diligently and intelligently with all groups at the local, county, and state level. No other administration can boast of the positive recognition that Raritan has receive from many universities, publications, and agencies both public and private within the state. I will not allow my good reputation, my integrity, my honesty, and my legacy of hard work not to mention

the long hours I've put into Raritan to make it a town with an honest and responsive government to be dragged down by a group of malcontents who are ego driven and thirsting for power. One can only hope that you will again work cohesively as elected officials for the good of Raritan and not your personal agenda or the agendas of others. Keep in mind the words of Erich Fromm, a German psychologist who said "the lust for power is not rooted in strength but in weakness".

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.

Gerry Cicero, 5 Woodmere Street, Raritan, New Jersey 08869: Asked how Council decided to remove Mr. Anderson as Borough Attorney. She asked why Council Member Carra continues to accept health Benefits from the Borough. She noted seeing the Council President screaming at Council Member Gara after a Council meeting not long ago. She asked for answers from each Council Member to these questions.

Council President Tozzi noted the Town is going in a different direction. He added it's important to look at a different Attorney at this time. He suggested he has done much more as Council Member than the duck race. He added this is the right thing to do and the yelling was both sides not just one.

Council Member Giraldi noted it is all over the papers the Borough has lost in a number of suits that this firm has represented us in. He suggested looking at different law firms is the right thing to do at this time.

Council Member Carra noted there have been a number of things she is not happy with regarding this firm. She added the expense is very large, phone calls are not returned in a timely manner are just a few.

Council Member Sabilia added we need to look at a different Attorney because the Town is moving in a different direction.

Council Member Carra added it is not illegal for me to receive health benefits.

Richard Yadlosky, 267 Weiss Terrace, Raritan, New Jersey 08869: Commented Mayor Liptak, Council Members Gara and Lobell are doing what needs to be done. He added Mr. Anderson has been the best of the nine attorneys the Borough has had. He asked what the function of a RICE notice was.

Mayor Liptak explained what a RICE Notice was.

Richard Yadlosky asked why DPW needed an assistant. He suggested DPW has other employees that are getting paid to do the job now.

Victor Laggini, 1025 Tysley Place, Raritan, New Jersey 08869: He suggested Paul Rizzo, Esq. the pervious attorney was the better chose. He noted over \$109,000 has been spent on the Gannett case, this is from the taxpayers. He asked if there are any other law suits.

Mayor Liptak replied the Borough did not ask for this law suit. She added a number of Towns were asked for the same information the Borough was asked for. She noted out of those just two Towns were singled out, Raritan Borough and Point Pleasant. She added the Library brought the suit against the Borough.

Council Member Lobell suggested the Gannett case started in 2009. He added we are just defending ourselves.

Council Member Giraldi noted this can go on for another two year and the cost will be upwards of one million dollars.

James Foohey, 710 Rhine Blvd, Raritan, New Jersey 08869: He suggested the Council President should be the peace keeper. He added the trouble is this council is one party which is a problem. He suggested when you have one party you fight and disagree amongst yourselves.

Anthony DeCicco, 10 Anderson Street, Raritan, New Jersey 08869 He suggested it is not illegal for Council Member Carra to except health Benefits. He added Mark Anderson, Esq. and his firm have been great to the Borough. He suggested leadership should come from the Mayor. He suggested instead of reprimanding Council Member Carra, Giraldi, Sibilia and Tozzi in public this discussion should have been done privately. He noted this is embarrassing.

Council Member Gara suggested that Council Carra should stand by her word and be accountable.

Mayor Liptak suggested Council Member Carra had no problem with Mark Anderson's Law firm until after reorganization.

Council Member Lobell asked if Council Member Carra had any problems working with Mark Anderson, Esq. or Jolanta Maziarz, Esq.

Council Member Carra replied she had no problems with either Attorney.

Adele Goetsch, 6 Nevius Street, Raritan, New Jersey 08869: Suggested you are talking about decorum when you are calling each other out. She added this whole thing which could have been done privately is so ugly. She suggested it is an embarrassment the way this was handled all of you should be embarrassed.

RESOLUTIONS

RESOLUTION 2014-01-027

Council Member Gara motioned to approve resolution 2014-01-027, seconded by Council member Carra motion carried by the following roll call vote.

AMUSEMENT GAMES LICENSES

WHEREAS, Amusements Games including electronic games, video games, and jukeboxes/ music boxes License applications have been filed for the period of January 1, 2014 through December 31, 2014; and

WHEREAS, the Deputy Clerk has reported that the proper fees have been paid; and

WHEREAS, that the Police Department has submitted their investigation findings and recommendations with no objections to the applications;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Raritan, in the County of Somerset, State of New Jersey hereby approves licenses for the following applicants:

1. Michael’s Inn, 46 Thompson Street, Raritan, NJ: 1 Jukebox; 1 Videogame
2. Raritan Moose Lodge #1965, 54 Second Street, Raritan, NJ: 1 Jukebox
3. DeCicco’s Tavern, 10 Anderson Street, Raritan, NJ: 1 Jukebox

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

Resolution 2014-01-028

Council President Tozzi motioned to approve Resolution 2014-01-028, seconded by Council Member Carra Motion carried by the following roll call vote.

ADMINISTRATIVE ASSISTANT TO PUBLIC WORKS DEPARTMENT

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan that Joanne P. Brandt, Bloomsburg, New Jersey is hereby hired in the position of Administrative Assistant to the Public Works Department at a base salary of \$11.00 per hour, not to exceed 15 hours per week, effective as soon as possible.

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

RESOLUTION 2014-01-029

Council President Tozzi motioned to approve Resolution 2014-01-029, seconded by Council Member Gara. Motion carried by the following roll call vote.

ALTERNATE BOROUGH PROSECUTOR

WHEREAS, the office of the Municipal Court Administrator has advised the Mayor and Council of a need to appoint an alternate Borough Prosecutor for the Borough to represent defendants in the Municipal Court on such occasions when the appointed Public Defender cannot represent such defendants as a result of a legal or ethical conflict; and

WHEREAS, Douglas M. Singleterry, Esq. of Bernardsville, New Jersey 07924, possesses the appropriate qualifications, and has expressed a willingness to accept such position;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, that Douglas M. Singleterry, Esq. shall be and is hereby appointed Alternate Borough Prosecutor for the Borough of Raritan for a term of one year, commencing January 28, 2014 and terminating December 31, 2014 to be compensated on a per case basis as may be authorized by the Council upon notice from the Administrator of the Municipal Court of the necessity to appoint the Alternate Public Defender in any particular case.

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

RESOLUTION 2014-01-030

Mayor Liptak asked who was it that put this Resolution on this agenda and where did the retainer fee come from. She suggested this should be done in Executive Session.

Daniel Jaxel noted the retainer is \$700.00 per month for twelve months. He added the Resolution was requested by Council President.

Council President Tozzi replied he thought a Borough Attorney was being hired tonight.

Mayor Liptak noted this is a contract and therefore is discussed in Executive Session.

BOROUGH ATTORNEY

WHEREAS, the Mayor of the Borough of Raritan has nominated and the Raritan Borough Council has appointed as Borough Attorney;

NOW, THEREFORE, BE IT RESOLVED that shall serve as Borough Attorney for a term of one year, commencing, 2014 and terminating December 31, 2014 at a retainer fee of \$8,400.00 per year. The Mayor and Council of the Borough of Raritan will enter into an agreement with pertaining to compensation of fees without competitive bidding.

BE IT FURTHER RESOLVED that The Mayor and Clerk of the Borough of Raritan are hereby authorized and directed to execute said agreement on behalf of the Borough of Raritan. The Clerk is hereby directed to publish notice of this appointment within ten (10) days of the adoption of this resolution as required by law.

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

Resolution 2014-01-030 tabled until Executive Session

RESOLUTION 2014-01-031

Council Member Gara motioned to approve Resolution 2014-01-031, seconded by Council Member Lobell. Motion carried by the following roll call vote.

BUDGET 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; and

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	\$2,000.00

To Account

Heating Oil

Account No

3-01-31-477-001-208

Amount

\$2,000.00

Total

\$2,000.00

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

RESOLUTION 2014-01-032

Council Member Gara motioned to approve Resolution 2014-01-032, seconded by Council President Tozzi. Motion carried by the following roll call vote.

DISPOSITION OF EQUIPMENT BY THE COURT ADMINSTRATOR AND REGISTRAR

WHEREAS, the Borough Administrator has deemed certain property not needed for public use; and

WHEREAS, N.J.S.A. 40:11-36 provides that any contracting unit by resolution of its Governing Body may authorized the disposition of its personal property; and

WHEREAS, certain unneeded Registrar and Court equipment with an aggregate value of less than \$3,150.00, of which the item is listed below:

1. IBM Typewriter #143300011 AZNB4, Borough Tag 565
2. Window XP Professional Tower, Serial #00045-453-829-307
3. Dell Key Board and LongiTech Key Board

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan the aforesaid property be and is hereby deemed no long needed for public use.

BE IT FURTHER RESOLVED that the Registrar and Court Administrator may arrange for disposition of said property.

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

RESOLUTION 2014-01-033

Council Member Lobell motioned to approve Resolution 2014-01-033, seconded by Council Member Gara. Motion carried by the following roll call vote.

RAILROAD MONTHLY PARKING REFUND

WHEREAS, the Administrator has informed the CFO that the purchaser of a monthly railroad parking decal sticker has returned the unused portion of the sticker and;

WHEREAS, the purchaser of monthly parking decal sticker has requested the balance of the payment be refunded.

NOW, THEREFORE, BE IT RESOLVED by the Raritan Borough Council that the CFO is hereby authorized to refund monthly railroad decal sticker payment to the following purchaser:

Pauline Rodney, 8 Woodmere Street, Raritan, NJ 08869
February 2014 - \$40.00

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

RESOLUTION 2014-01-034

Council Member Lobell motioned to approve Resolution 2014-01-034, seconded by Council member Gara. Motion carried by the following roll call vote.

TEMPORARY DEPUTY MUNICIPAL CLERK

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan that Constance M. Del Rocco of Raritan, New Jersey is hereby appointed to the position of Temporary Deputy Municipal Clerk at a base salary of \$20.00 per hour, not to exceed 40 hours per week, effective January 13, 2014.

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

		Tozzi	X			
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RESOLUTION 2014-01-035

Council Member Lobell motioned to approve Resolution 2014-01-035, seconded by Council Member Gara. Motion carried by the following roll call vote

TONNAGE GRANT APPLICATION

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for the 2013 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of Borough council of the Borough of Raritan to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey that Raritan hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Robert Fulminante, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant will be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

MOTION	SECOND	NAME	YEAS	NAYS	ABSTAIN	ABSENT
		Carra	X			
	X	Gara	X			

		Giraldi	X			
X		Lobell	X			
		Sibilia	X			
		Tozzi	X			

RESOLUTION 2014-01-036

Council Member Lobell motioned to approve Resolution 2014-01-036, seconded by Council Member Gara. Motion carried by the following roll call vote.

PERMIT TO KEEP ANIMALS

WHEREAS, an application for a permit to keep animals has been filed by Laura Sullivan in accordance with Chapter 92 of the Code of the Borough of; and

WHEREAS, an applicant has produced a sketch and description of the proposed confinement area(s); and signatures as proof of notification of all property owners and occupants whose property geographically borders the property which will harbor said animals; and

WHEREAS, that the Health Officer and Zoning Officer have submitted their findings and recommendations with no objections to the application;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Raritan, County of Somerset, and State of New Jersey hereby approves the Permit to Keep Animals – Chickens for the following applicant:

Laura Sullivan, 137 Weiss Terrace, Raritan, NJ 08869

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

APPROVAL OF BILLS LIST

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

APPROVAL OF BILLS LIST

BE IT RESOLVED that claims in the amount of \$4,276,978.46 having been listed on the Bill List and recorded in the files of the Borough Hall, and are hereby approved to be paid.

Dated: January 28, 2014

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

PURCHASE ORDERS

1. McMillian Oil Company purchase order for \$1,750.45

Council Member Gara motioned to approve the above purchase order for \$1,750.45, seconded by Council Member Sibilia. 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	Sibilia	X			
		Tozzi	X			

COMMITTEE AND LIAISON REPORT

Council President Tozzi gave the following report:

Economic Development Committee

working on a project to place EDC on a website.

Basilone Parade Committee

The first Meeting is Wednesday January 29, 2014.

Council Member Sibilia gave the following report:

Parks & Recreation

Baseball signup has started.

Board of Education

The BOE is still searching for a Superintendent. The children at J.F. Kennedy School are doing a million minute reading project to increase reading level scores.

Council Member Gara gave the following report:

Administration, Finance & Personnel

The Council met on Thursday, January 23rd with all department heads to discuss the 2014

preliminary budget requests. The Finance committee will be meeting with the Borough Administrator, CFO and Auditor shortly to go over these numbers.

Until the Borough has an Attorney and a new Clerk the Personnel Committee will not be able to meet to continue to progress on the Borough's Personnel Manual or the finalization of job descriptions.

The Personnel Committee will be conducting interviews for a new Borough Clerk shortly.

Office of Emergency Management

I will be meeting with Bob Lisa next week to go over the O.E.M. budget as well as finalize the materials needed for a warming center.

Environmental Commission

The RBEC met on Wednesday, January 15, the commission did not have enough members present to conduct an official meeting so the only business that was completed was Mr. Zach and Ms. McCarthy's Oath's of Offices.

I would like to thank our Police Department and Public Works Department for a fantastic job in Borough communications and road cleaning during the recent snow we have had. Good Job!

Council Member Lobell gave the following report:

Police

983 General Calls were taken in December 2013, the monthly report will be on the police website in the near future. For the year 2013 there were 13,543 Police calls. An unmarked car has been taken out of service and the Police Department is looking for a replacement. Interviews will be held on 2/4, 2/5 and 2/7 with 35 applications received.

Historic and Cultural Committee

The first meeting of the HCC is on January 29.

Council Member Giraldi gave the following report:

Board of Health

The BOH had their Free Rabies Clinic on January 11th. The posting of the No smoking signs per BOH Ordinance 2013-02 will be soon.

Municipal Court

Nothing to report at this time

Council Member Carra gave the following report:

Litigation

Council Member Carra read a statement on the Library employee salaries Litigation.

Planning Board

There is nothing to report

CORRESPONDENCE

Mayor Liptak read a letter of resignation from Kathleen Light -Library Board of Trustees. She asked Council to support the appointment of Rachel Zach.

Council President Tozzi motioned to approve the appointment of Rachel Zach to the Library Board of Trustees, seconded by Council Member Carra. Motion carried

OLD BUSINESS

Sewer Billing

Daniel Jaxel noted an ordinance will be needed for sewer billing with use greater than 400 gallons of water a day. He added Council would need to make a motion and then billing would start in 2015.

Stanley Schrek suggested starting early in February 2014 in order to have it ready for 2015 and the ordinance should be done now as well.

Police Lieutenant Interview Procedure

Daniel Jaxel noted at the interviews for the Police Lieutenants each Council Member should compile a number of questions and present them.

Council Member Lobell suggested a round robin, one at a time. He suggested having the Chief of Police at the interviews with input/advise.

Council Member Giraldi advised this was not a good idea there could be problems created for the Chief.

Council Member Gara noted standard procedure has been the Chief of Police makes the promotion.

Kenneth McCormick, Chief of Police noted he was looking at the long run. He added this could be the Chief of Police one day.

Mayor Liptak asked for an informal vote.

Council Member Lobell suggested having the Chief of Police after the interviews.

Council Member Gara agreed with Council Member Lobell.

Council Member Sibilina agreed that after the interviews was a better idea.

Council President Tozzi suggested in the beginning of the interview.

Kenneth McCormick, Chief of Police will be present at the end of the Special Meeting on January 30, 2014.

Golf Driving Lease

Council Member Gara noted after doing some searching the over payment for the Golf Driving Lease is from the years 2009-2013. She added they were to pay for improvements only, but land was paid as well. The total payment was \$19,131.34 and the over payment was \$10,140.30. She noted Mr. Tozzi is not looking to invoke any legal actions he just wants the Borough to do the right thing. She suggested we can either give Mr. Tozzi back the amount in a lump sum or reduce his payment to the Borough each month.

NEW BUSINESS

Property Maintenance Letter

Mayor Liptak noted the informative letter from Frank Taddeo, Maintenance Officer. She added if Council agrees going forward there is a lot of information here. She suggested this could be included with the tax bills every year and also communication with any new property owners both business and residential.

Council Member Lobell suggested placing the letter on the Borough website.

Rules of Order

Mayor Liptak suggested having the Rules of Order posted in the back of the Council Chamber/ Court Room.

Police Vehicle in County Auction

Daniel Jaxel asked for a motion to auction the unserviceable 1998 Chevy Lumina from the Police Department.

Council Member Lobell motioned to auction the 1998 Chevy Lumina, seconded by Council President Tozzi. Motion carried.

2014 Community Development Appointees

Daniel Jaxel asked for a motion to approve the appointment of John Orecchio and himself to the Community Development Committee for 2014.

Council Member Lobell motioned to approve the appointment of Daniel Jaxel and John Orecchio to the Community Development Committee, 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			

Administrative Salaries, 2014 Budget

Daniel Jaxel asked Council for a pulliminary plug in. He suggested 2% could be a starting point.

Council President Tozzi suggested the next meeting he would like to discuss what is known as the Lacey Township same gender massage Ordinance. He added this Ordinance is a same gender requirement for messages. He noted after this law was passed more than 92% of spas went out of business. He suggested this would deter so called spas from coming into our area.

PUBLIC COMMENTS

Thomas Brown, 18 Elmer Street, Raritan, New Jersey 08869: Thanked the Council for his reappointment to the Municipal Land Use Board. He noted the Library is anticipating expanding the building with a possible cost of \$400,000 and it would be exempted from review of the Land Use Board.

Mayor Liptak replied the review is done as a courtesy.

Thomas Brown suggested an ordinance that indicates anything done to a Municipal building go before the Land Use Board for a review and a recommendation to the Borough.

Richard Yadlosky, 267 Weiss Terrace, Raritan, New Jersey 08869: He suggested this is a town meeting not a council meeting and he is against any rules that restricts our free speech. Reason and logic and separate your emotions and do the Towns bidding. He suggested a number of Municipalities are shutting down their Libraries and we should be shutting ours down too. He added the Department of Public Works needs to be looked at very closely do to past indiscretions.

James Foohey, 710 Rhine Blvd, Raritan, New Jersey 08869: He suggested the opinion of the Chief of Police should not be prior to the meeting because it could prejudice you going into the meeting. He added the issue of the health insurance should be a dead issue. He suggested because I will have to start writing letters in the paper again if it's not.

Victor Laggini, 1025 Tysley Place, Raritan, New Jersey, 08869: He asked if Ortho was selling out and what would the impact be on the residents in the Borough.

Mayor Liptak replied Ortho Pharmaceuticals, Inc. has sold one building to another Pharmaceutical company and as far as she was aware there were not changes in taxes.

Anthony DeCicco, 10 Anderson Street, Raritan, New Jersey 08869: Suggested Council should have a vote in order for an issue to be tabled.

Mark Anderson noted Mr. DeCicco was correct, however anything that does not read received a motion by second is off the agenda and not be tabled but off the agenda.

Mayor Liptak noted she stood corrected.

Michael Patente, 30 Glaser Avenue, Raritan, New Jersey 08869: Noted about four or five years ago the Planning Board did a look at the performance and procedure of the Police Department. He added one of the recommendations was performance appraisals for the whole Town.

Council Member Gara noted the Personnel committee has been meeting for about a year with the Mayor and the Borough Attorney. She added we have been working on job descriptions, personnel manuals and the Employee Handbook. She noted until the Borough Attorney and Borough Clerk situation is resolved we can't go forward.

EXECUTIVE SESSION

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

RESOLUTION 2014-01-037

Council Member Gara motioned to approve Resolution 2014-01-037, seconded by Council Member Lobell. Motion carried by the following roll call vote at 9:20pm.

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. Contract Negotiation-Borough Clerk
2. Personnel-Public Works, Administrative
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			
X		Gara	X			
		Giraldi	X			
	X	Lobell	X			
		Sibilia	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 at 10:33pm.

Council Member Lobell motioned to approve Mark Anderson, Esq., Woolson, Sutphen, Anderson, P. C. to continue as Litigation Counsel for Gannett, seconded by Council 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			

Council Member Lobell motioned to approve Mark Anderson, Esq., Woolson, Sutphen, Anderson, P. C. to continue as Litigation Counsel for the Buckler, 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			
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Council Member Lobell motioned to approve Mark Anderson, Esq., Woolson, Sutphen, Anderson, P. C. to continue as Tax Appeal Attorney, seconded by Council Member Gara. Motion was not 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		

ADJOURNMENT

Council Member Gara motioned to adjourn, seconded by Council Member Lobell. Motion carried at 10:35pm

Respectfully submitted,

Constance M. DelRocco, Deputy Borough Clerk