

**BOROUGH OF RARITAN
AGENDA-WORKSHOP MEETING**

The Agenda-Workshop Meeting of the Borough of Raritan Council was held on February 11, 2014 in the Municipal Building, 22 First Street, Raritan, New Jersey 08869 at 7:05pm.

STATEMENT OF PUBLIC NOTICE

Mayor Jo-Ann Liptak read the following notice: This Meeting was 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 15, 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 Sibilica, and Donald Tozzi

Absent: None

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

FLAG SALUTE

Council President Tozzi led the flag salute

PRESENTATION

Rain Barrel Work-Shop Presentation

Heather Desko gave a presentation for the Rain Barrel Work-Shop. She noted The Workshop has been expanded to include Raritan Borough, Manville and Bridgewater the project will be held on April 29, 2014 and June 3, 2014. She added for the average size barrel the price would be \$40.00 and the 75 gallon size would be \$200.00. She noted with the rebate both would be free.

APPOINTMENTS

Linda Harwood –Library Board Trustee term 2/11/2014-12/31/2015

Council Member Lobell motioned to approve the appointment of Linda Harwood, for Library Board of Trustees, for the term 2/11/2014-12/31/2015, seconded by Council Member Gara. Motion carried

Mayor Liptak welcomed Richard Wenner, Esq., Courter Kobert & Cohen the new Borough Attorney.

PUBLIC COMMENTS

Mayor Liptak read the following: At this point the Borough Council welcomes comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 5 minutes. If reading from a prepared statement, please provide a written copy and email a copy to the Borough Clerk's Office after making your comments.

Richard Yadlosky, 267 Weiss Terrace, Raritan, New Jersey 08869: Suggested the February 10, 2014 Special Meeting was not a proper meeting because the time posted at the Municipal Building was incorrect.

Mayor Liptak replied the meeting was published in the newspaper and the Attorneys were contacted because I personally spoke with them on the phone. She added the times were staggered and the reason I had the Public Comment after the interviews, was because I wanted everyone to be able to comment on both Attorneys.

James Foohey, 710 Rhine Boulevard, Raritan, New Jersey 08869: Asked if the recent newspaper article is the last word on the Gannett suit.

Mayor Liptak replied no, this will be taken to the Pellet Court.

James Foohey asked if there were any other suits besides the police officer.

Mayor Liptak replied the Butler suit, involving Johnson Drive.

Victor Laggini, 1025 Tysley Place, Raritan, New Jersey 08869: Asked if anyone has come up with a total number being charged by Mark Anderson's services.

Council Member Giraldi replied \$109,000 and that is besides the \$542,000.

Council Member Gara commented she was baffled, that Mr. Liggini constantly questioned this Council about the Gannett suit, since it was his council that initiated the suit.

Victor Laggini replied I was the lone Democrat when this came to the table. He suggested that Council was not trying to resolve this issue.

Council Member Gara replied the Council was all Democrats when this came to the table.

Council Member Giraldi added he did not think this was in a concrete phase as far as that law suit is concerned. He suggested we have a new Attorney and there may be a new avenue we want to explore. He noted to just make blanket statements about what we may or may not due has not fully been decided.. He suggested there is still a lot to be discussed.

Mayor Liptak suggested everything that is published in the Courier News about the Gannett suit has to be taken with a grain of salt because as Mayor I don't think our position has been fairly represented. She suggested there are things that have occurred that the public doesn't fully

understand. She added they have not been reported accurately, due to space constraints. She noted we gave the Courier News what they wanted but not in the form they wanted. She added it all goes back to the OPRA laws not being completely understood by the powers that be.

RESOLUTIONS

RESOLUTION 2014-02-041

Council Member Gara motioned to approve Resolution 2014-02-041, seconded by Council Member Lobell. Motion carried by the following roll call vote.

2013 SPECIAL TEMPORARY APPROPRIATIONS TOTALING \$9,781,180.43

WHEREAS, an emergent condition has arisen with respect to general appropriations to meet invoices and no adequate provision has been made in the 2014 temporary appropriations for the aforesaid purpose, and N.J.S.AA.40A:20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned; and

WHEREAS, the total emergency temporary resolutions adopted in the year of 2013 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.40:4-20) including this resolution will total \$9,781,180.43; and

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) by the governing body of the Borough of Raritan, Somerset County, State of New Jersey that in accordance with the provisions of N.J.S.40A4-20, the appropriations are hereby made to provide a cumulative temporary budget total not to exceed \$9,781,180.43; that said emergency appropriations will be provided for in the 2014 budget under the appropriate budget line items; that one certified copy of this Resolution be filed with the Director of the Division of Local Government Services.

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

RESOLUTION 2014-02-042

Council Member Lobell motioned to approve Resolution 2014-02-042, seconded by Council Member Carra. Motion carried by the following roll call vote.

RESOLUTION AUTHORIZING SUBMISSION OF THE FISCAL YEAR 2014-2015 BRIDGEWATER-RARITAN MUNICIPAL ALLIANCE REQUEST FOR APPLICATION WITH SOMERSET COUNTY BOARD OF CHOSEN FREEHOLDERS IN THE AMOUNT OF \$71,522

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 Bridgewater Township jointly intend to apply for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Somerset;

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 application.
2. Bridgewater Township is hereby authorized to submit an application for the Bridgewater-Raritan Municipal Alliance Grant for fiscal year 2014-2015 in the amount of \$71,522.00

DEDR	\$35,761.00
Cash Match	\$ 8,940.25
In-Kind	\$26,820.75

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

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

RESOLUTION 2014-02-043

Council Member Giraldi motioned to approve Resolution 2014-02-043, seconded by Council Member Sibilia. Motion carried by the following roll call vote.

A RESOLUTION TERMINATING THE MUNICIPAL INVESTIGATION COMMITTEE ESTABLISHED BY RESOLUTION OF THE BOROUGH COUNCIL ON SEPTEMBER 18, 2012

WHEREAS, on September 18, 2012 the Borough Council established all of its members as an investigation committee in accordance with N.J.S.A. 40:48-25 to conduct as official inquiry into the amount of excess funds due from the Borough Library Board to the Borough; and

WHEREAS, the investigation committee has concluded its work; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Raritan that the foregoing investigation is concluded and the Borough Council is no longer functioning in its capacity as investigation committee with respect to the foregoing matter.

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

PURCHASE ORDER REQUESTS

1. Northeast Roof Maintenance, Inc. for \$4,865.00

Council Member Lobell motioned to approve the above purchase order for \$4,865.00, 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			

2. Northeast Roof Maintenance, Inc. for \$6,173.00

Council Member Lobell motioned to approve the above purchase order for \$6,173.00, 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			

3. SHI, International for \$556.50

Council Member Gara motioned to approve the above purchase order for \$556.50, 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			

4. ePlus Quotation, for \$1,639.20

Council Member Gara motioned to approve the above purchase order for \$1,639.20, 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			

DISCUSSION

Engineer’s Report

Stanley Schrek read the following report:

Orlando Drive Planning Implementation

We have started the field survey of the Bock 116.02, Lot 11, mapping the necessary information required for NJDEP permit application. Field survey is proceeding, as weather/snow pack permits.

I will distribute a concept plan, putting in mapping form what has been earlier presented in the Orlando Drive Riverfront plan.

Orlando Drive Phase 2

I had communications with the LSRP working for River Park who has recently performed the biannual inspection of the environmental cap on the land deeded to the Borough. He asked where the play structure went. I told him where the play structure went. There is no problem where the play structure went. He told me what we need to discuss the placement of new sidewalk along the park frontage asking if there are any approvals required from NJDEP with regard to disturbing the cap in that location. We all know that concrete is a more dense cap than soil. This should not be a problem, however a Deed Notice must be filed to indicate that the sidewalk is now the cap. The LDRP will prepare a cost proposal to prepare and file the Deed Notice. He is also checking with NJDEP to see if the notice can come later as we would like to proceed once the weather breaks. Worst case is that we install sidewalk at some future date.

Sanitary Sewer Mapping

We are consolidating all the past video inspection mapping and adding very old mapping that DPW has maintained. The Borough does not have accurate/complete sewer mapping. The end product will be a complete map of the entire Borough sanitary sewer system.

Fifth Street sidewalks

The Borough is in receipt of a \$100,000 CDBG grant to construct new curb and sidewalk along Fifth Street. This will provide continuous, safe pedestrian access from 1st Avenue to Frelinghuysen Park on Sherman Avenue. The project is essentially a continuation of the Sherman Avenue project started and completed, in 2013, also under a CDBG grant. Plans are at 80% and we expect to advertise for bidding with an award anticipated in March. I will present the plan at the meeting.

Capital Budget

Based on anticipated grants, the approved Road Assessment plan and sanitary sewer needs, I have provided Dan with Capital Improvement recommendations. I believe the Capital Budget will be discussed at a later date.

Council Member Lobell asked about the corners on Fifth and 1st Avenue, relating to handicapped.

Stanley Schrek replied they are good, there should be no problems.

Mayor Liptak asked if there was any talk about making the entrance on 1st Avenue a right turn only street. She added traffic on 1st Avenue is being blocked.

Stanley Schrek noted it is very tough getting out of there with the traffic on 1st Avenue. He added the BLT grants will be out late April –June I would like to submit for Bell Ave construction there is a lot of work to be done and there is money available.

Council Member Carra asked if anyone was aware of a letter about contamination from Larry Burger owner of the Mall.

Stanley Schrek replied the last project he was involved in was the lighting at the parking lot. He added the mall is built on a landfill. He added Mr. Burger has said he didn't know anything about this. He suggested that is kind of hard to believe but a conversation for another date.

16 Anderson Street Firehouse renovations

Council Member Lobell noted the Historical and Cultural Committee wanted to do a follow up on the status of the grants that have been received and the possibility of applying for other grants to renovate the second floor. He added and the possibility of a museum on the second floor after we take care of the handicapped issues. He asked Stanley Schrek about the grants.

Stanley Schrek suggested he would have something for the next meeting.

Daniel Jaxel suggested not applying for further grants at this time because we have money left about \$300,000 still available, but the construction document indicate this is \$700,000 project. He noted some of the repairs were, repointing of the basement, electrical, sprinkling system, stairs and we need to work out what is more important. He added even with the existing money we would not be doing this all at once.

Stanley Schrek added we have a reduced scope and there never was a defined use of the second floor.

Council Member Lobell noted there are a number of residents that want to donate documents, letters, a bench from the Frelinghuysen Family, but they don't want to give us anything until we have a safe place to store these pieces of memorabilia.

Agenda Recommendations Form

Mayor Liptak suggested one way to keep track of items for the agenda and items that have not been addressed is an agenda submission form. She proceeded to explain the process of the form. She added this could be placed on email for all Council Members.

Submission Form

Mayor Liptak explained the letter from the office of Frank Taddeo, Maintenance Officer. She added the sidewalk shoveling of snow to 24" is a good idea due to safety issues, also clearing the fire hydrants of snow.

Council Member Lobell noted since we are talking about snow, it is important the residents remove their cars from the municipal parking lot in a timely fashion.

PUBLIC COMMENTS

Mayor Liptak read the following: At this point the Borough Council welcomes comments from any member of the public. To help facilitate an orderly meeting and to permit the opportunity for anyone who wishes to be heard, speakers are asked to limit their comments to 5 minutes. If reading from a prepared statement, please provide a written copy and email a copy to the Borough Clerk's Office after making your comments.

Ron Rispoli, 22 Woodmere Street, Raritan, New Jersey 08869: Asked, Mayor Liptak if the \$1,200 was paid by Council at that time would there have been a law suit.

Daniel Jaxel replied we would normally speak about this case in Executive Session.

Adele Goetsch, 6 Nevius Street, Raritan, New Jersey 08869: Commented since Council is speaking about snow removal there are a number of streets especially Old York Road that have not even been touched. She added at the end of Thompson Street there are no crosswalk lines painted there.

Richard Yahlowshi, 267 Weiss Terrace, Raritan, New Jersey 08869; Commented the Library should be closed and the building used for a John Basilone, World War II Museum. He added I filed a complaint against Daniel La Verde, Director of DPW because they dumped tons of snow on my property and my neighbors on Weiss Terrace. He suggested he got the worst of it all due to his reputation with DPW. He added this was definitely done maliciously.

James Foohey, 710 Rhine Blvd, Raritan, New Jersey 08869: Commented the Firehouse on Anderson Street should be restored for a meeting room for all Boards and Committees. He added when going for a grant you need to address the purpose of the property.

Daniel Jaxel noted you wouldn't want to limit the area for an Historical site only.

Council Member Lobell noted we need to get the project up and running again. He suggested using the money that is left for electrical and other repairs needed. He added then going on to the next project, which would be the second floor restoration.

James Foohey suggested the second floor area could be for display but should not become a storage site.

Council Member Lobell agreed the second floor could be for display, this is a beautiful historical building not for storage.

Victor Laggini, 1025 Tysley Place, Raritan, New Jersey, 08869: Asked why Mayor and Council did not ask other municipalities for help with the Gannett suit.

Mayor Liptak replied we did ask, they stepped forward to a certain extent and then we were on our own. She added we even went to the State of New Jersey.

Victor Laggini asked if we have the breakdown of taxes once this money is paid.

Mayor Liptak replied no, we do not have projected numbers at this time.

EXECUTIVE SESSION

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

RESOLUTION 2014-02-044

Council Member Gara motioned to approve Resolution 2014-02-044, seconded by Council President Tozzi. 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-Sergeant Promotions
2. 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			
		Lobell	X			
		Sibilia	X			
	X	Tozzi	X			

Council President Tozzi motioned to adjourn the Executive Session and return to the regular order of business, seconded by Council Member Gara. Motion carried at 8:47pm.

ADJOURNMENT

Council Member Gara motioned to adjourn, seconded by Council Member Lobell. Motion carried at 8:48 pm.

Respectfully submitted,

Constance M. Del Rocco, Deputy Borough Clerk