

**BOROUGH OF RARITAN
REGULAR MEETING**

The Regular Meeting of the Borough of Raritan Council was held March 25, 2014 at 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 March 3, 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, and Donald Tozzi

Absent: Stefanie Gara, Andrew Sabilia

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, Borough Deputy Clerk

FLAG SALUTE AND INVOCATION

Council Member Giraldi gave the invocation and led the flag salute.

OATH OF OFFICE

Mayor Liptak administered the Oath of Office to the following Borough Police Officers.

1. Craig Monda, Raritan Borough Police Sergeant
2. Damien Chromowsky, Probationary Patrol Officer

PROCLAMATION

Mayor Liptak read the following Proclamation

Proclamation

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NATIONAL AGRICULTURE DAY

WHEREAS, the Nation recognizes the outstanding contributions of the men and women of agriculture; and

WHEREAS, American agriculture helps feed the world, fuels our Nation's economy, and is the largest positive contributor to our Nation's net trade balance; and

WHEREAS, agriculture provides jobs throughout the farm and food industry, including employment for farmers, farm workers, scientists, processors, shippers, and retailers; and

WHEREAS, the stewardship of America's farmers and ranchers ensures a sustainable resource base for future generations; and

WHEREAS, American farmers and ranchers uphold the rural character of the Nation as they provide the most abundant and most affordable food and fiber supply in the world; and

WHEREAS, American agriculture builds on centuries of progress by constantly seeking advances in science, research technology, production, and marketing to meet the demands of changing consumer needs and complex world markets; and

WHEREAS, the agricultural community engages tens of thousands of volunteers and organizations to help educate students about the importance of agriculture in modern-day America through agricultural literacy efforts;

NOW, THEREFORE, I, Jo-Ann Liptak, Mayor of the Borough of Raritan, New Jersey, on behalf of the Borough Council, staff and residents of our community, do here by express our appreciation to the Farmers and Rangers across the Nation.

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. Please direct all questions or comments to the Mayor. Impertinent, specious, or personal remarks are inappropriate and anyone who cannot follow common rules of courtesy or who becomes boisterous may be asked to leave the meeting room. 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: Commented the Borough Council controls the Borough Attorney, not the reverse. He added there is too much going on in Executive Sessions.

Carlos Montanari, 31 Thompson Street, Raritan, New Jersey 08869: Commented there are trucks and vans that are using the Thompson Street parking lot to park all day and night. He added the Police have been called and this still hasn't stopped. He noted this parking is only for two hours.

Kenneth McCormick replied there are trucks that are in and out of this parking area throughout the day.

Anthony De Cicco, 10 Anderson Street, Raritan, New Jersey 08869: Commented he performed he's first weddings. He added a thank you for the permission to use Borough Hall for this function.

MINUTES

1. February 11, 2014-Agenda-Workshop Meeting Minutes

Council Member Carra motioned to approve the February 11, 2014-Agenda-Workshop 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			

2. February 25, 2014-Regular Meeting Minutes

Council Member Lobell motioned to approve the February 25, 2014-Regular Meeting Minutes, seconded by Council Member Giraldi. Motion carried by the following roll call vote.

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

INTRODUCTION OF ORDINANCES

ORDINANCE 2014-01

Council Member Lobell motioned to Introduce Ordinance 2014-01, seconded by Council Member Carra. Motion carried by the following roll call vote.

AN ORDINANCE OF THE BOROUGH OF RARITAN, COUNTY OF SOMERSET, STATE OF NEW JERSEY AMENDING AND REPLACING SECTION 320-6 OF THE CODE OF THE BOROUGH OF RARITAN TO PROVIDE A MINIMUM WIDTH OF SNOW REMOVAL FROM SIDEWALKS

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

These ordinances will be considered for final passage after public hearing thereon at a meeting of said Borough Council to be held in the Municipal Building, 22 First Street, Raritan, New Jersey, on Tuesday, April 22, 2014 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 2014-03-065

Council Member Lobell motioned to approve Resolution 2014-03-065, seconded by Council President Tozzi. Motion carried by the following roll call vote.

RAILROAD MONTHLY PARKING REFUND

WHEREAS, the Administrator has informed the Chief Finance Officer 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 Chief Finance Officer is hereby authorized to refund monthly railroad decal sticker payment to the following purchaser:

Subrata Roy, 9 Lewis Drive, Bridgewater, NJ 08807
 March through December 2014 - \$400.00

Hubert Lau, 35 Hidden Pond Court, Raritan, NJ 08869
 April through December 2014 - \$360.00

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

RESOLUTON 2014-03-066

Council Member Lobell motioned to approve Resolution 2014-03-066, seconded by Council President Tozzi. Motion carried by the following roll call vote

**A RESOLUTION OF THE BOROUGH OF RARITAN,
 COUNTY OF SOMERSET, STATE OF NEW JERSEY,
 AUTHORIZING REDUCTION OF PERFORMANCE BOND
 (STONE BRIDGE AT RARITAN)**

WHEREAS, the developer of Stone Bridge at Raritan (the “Project”) has posted a Performance Bond, in accordance with the zoning and planning ordinances of the Borough, guaranteeing site improvements of the Project; and

WHEREAS, the developer has partially completed improvements and has requested a commensurate reduction in the Performance Bond; and

WHEREAS, the Borough Engineer has made an inspection and rendered a report dated March 19, 2014, a copy of which is attached hereto and made a part hereof, recommending

reduction of the Performance Bond from the previous amount of \$4,552,937.22 to \$1,339,612.80.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Raritan, County of Somerset, State of New Jersey, that the aforementioned Performance Bond for Stone Bridge at Raritan be and hereby is reduced to \$1,339,612.80.

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 Giraldi motioned to approve the Bills List in the amount of 3,022,909.56, seconded by Council Member Carra. Motion carried by the following roll call vote.

BE IT RESOLVED that claims in the amount of \$ 3,022,909.56 having been listed on the Bill List and recorded in the files of the Borough Hall, and are hereby approved to be paid.

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

PURCHASE ORDER REQUESTS

Council President Tozzi motioned to approve the following five Purchase Orders, seconded by Council Member Giraldi. Motion carried by the following roll call vote.

1. SDL, annual software support in the amount of \$2,200.00
2. Fire Apparatus Repairs, Inc. Raritan Fire Department in the amount of \$3,679.57
3. Safran Mophotrak, LLC, Live Scan Equipment in the amount of \$2,633.69
4. Edmunds & Associates, Inc. 2014 Software for Tax and Finance Offices in the amount of \$5, 513.00
5. Windsor Soil Company, For six ball fields in the amount of \$6,611.50

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

		Lobell	X			
		Sibilia				X
X		Tozzi	X			

COMMITTEE AND LIAISON REPORTS

Basilone Parade Committee

Council President Tozzi gave the following report:
 The next meeting for the Basilone Parade will be on March 26, 2014.

Historical and Cultural Committee and Police

Council Member Lobell gave the following reports:
 The Committee is developing a Walking Tour of Raritan Borough.

There were 46 accident reports for the month of February and 56 first aide calls. Congratulations to Officers Craig Monda and Damien Chromowsky. Congratulations to Ken Bateman the Business Award reciprocate for Somerset County. The award ceremony will be held at Bridgewater Manor, May 1st.

Board of Health

Council Member Giraldi gave the following report:
 21 signs for the No Smoking Ordinance went up in various properties owned by the Borough.
 The next BOH meeting is April 9th.

Litigation

Council Member Carra read the following report:
 Last month a court appointed Special Master, which acts as a fact-finder for the court, found that Gannett was entitled to about \$542,000 in legal fees which was less than the \$650,000 the company spent for legal representation.
 Gannett’s attorney, Tom Cafferty, asked the judge to consider ordering the borough to pay an additional \$90,000, the amount the company has spent on the case since September and the last month that the Special Master examined for his recommendation. Judge Ciccone ordered that the fees of the Special Master be divided equally between Gannett and Raritan.
 Judge Ciccone has given the borough until March 28 to respond to the request and then the Gannett will have until April 3 to reply. Judge Ciccone is expected to rule on the entire matter sometime after that.

Mayor Liptak reported the Borough will host a shredding event on June 21, from 9am-1pm at Washington School. She commented the Library meeting for the month of February was very productive. She added the Library is discussing the idea of an interior redesign change.

OLD BUSINESS

Fencing, Orlando Drive

Council Member Lobell commented Recreation is looking into the expense of different fences.

Stanley Schrek replied the right of way line will need to be established for placement.

NEW BUSINESS**Next Budget Meeting Schedule**

The Budget Meeting is scheduled for April 2, 2014 at 6:00pm. The meeting will be held at Municipal Building. This meeting will be open to the public.

Acknowledgement of Receipt of Raritan Borough \$2,759,000 Bond Anticipation Note Sale Award

Daniel Jaxel noted this has been sent as a matter of procedure.

Washington School basketball poles condition

Council Member Lobell motioned to send a letter to Somerset County holding the County harmless as per the basketball poles at Washington School site, 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			

Prayer and Public Comment Sessions during Council meetings

Council President Tozzi suggested going back to two Public Comment sessions per meeting and prayer at both meetings.

After a short discussion it was decided to have two Public Comments and prayer for Agenda Workshop and Regular meetings.

Options for the park on Orlando Drive

Item may be possible discussion on April 8th Agenda Workshop Meeting.

Mayor Liptak suggested due to the street light that fall over on Somerset Street it may be beneficial to check all poles for any structural damage.

Stanley Schrek noted a visual inspection can be done.

PUBLIC COMMENTS

Mayor Liptak read the following:

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Richard Yadlosky, 267 Weiss Terrace, Raritan, New Jersey 08869: Commented the Library needs to be shut down. He asked if a commercial driver’s license was needed in the Fire Department and Public Works.

James Foohey, 710 Rhine Blvd., Raritan, New Jersey 08869: Commented having two public comment sessions was a good idea, people input on what is discussed in the meeting at the second session.

Mayor Liptak asked if comments should be limited to agenda items only.

James Foohey replied make one just for agenda items.

Mayor Liptak noted then the first should be for any general topic and the second would be just for agenda items.

EXECUTIVE SESSION

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

RESOLUTION 2014-03-067

Council Member Giraldi motioned to approve Resolution 2014-03-067, 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. Contract Negotiations-Police, Golf Range Lease
2. Attorney Client Privilege-Gannett Case

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

Council Member Lobell motioned to adjourn the Executive Session and to return to the regular order of business, seconded by Council Member Giraldi. Motion carried at 8:50pm.

ADJOURNMENT

Council Member Giraldi motioned to adjourn, seconded by Council Member Lobell. Motion carried at 8:55 pm.

Respectfully submitted,

Constance M. Del Rocco, Deputy Borough Clerk