

The Agenda-Workshop Meeting of the Raritan Borough Council was called to order by Mayor Liptak at 6:30p.m. The meeting was held in the Meeting Room of the Raritan Borough Municipal Building at 22 First Street, Raritan, NJ 08869.

Mayor Liptak announced that the 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 April 29, 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.

**ROLL CALL**

Present: Councilwoman Carra, Councilwoman Gara, Councilman Giraldi, Councilman Lobell, Councilman Sibilialia, Council President Tozzi

Absent: XXX

Also Present: Mayor Liptak, Borough Attorney Wenner, Borough Engineer Schrek (left at 8:50p.m.), Borough Administrator Jaxel, Police Chief McCormick (left at 8:50p.m.), Borough Clerk Schmitt

**FLAG SALUTE AND MOMENT OF SILENCE**

Councilman Sibilialia led the invocation and flag salute.

**PUBLIC COMMENT**

Richard Yadlosky of 267 Weiss Terrace, Raritan, New Jersey questioned the eleven percent raise for Public Works Manager LaVerde that is included in the 2014 Budget. Mr. Yadlosky firmly stated it is his understanding that public employees are subjected to a two percent cap on wages and this policy should be strictly enforced according to the state guidelines.

**WORK SESSION**

1. Capital Budget (DJ)

Borough Administrator Jaxel reviewed with Mayor and Council the Capital Budget considerations for 2014 which totaled \$1,513,403.00. Discussion convened on the reconstruction of Orlando Drive, Columbus Avenue, and the Route 28 pump station. Also, discussed was equipment requested from the fire, police, and public works departments. Council agreed to spend approximately \$536,700.00 in capital improvements.

Mr. Jaxel stated that he would have the bonding attorney prepare the bond ordinance and would review the final total with the Mayor and Council at a later meeting.

2. Shrine of the Blessed Sacrament Procession (ML)

Mayor Liptak informed Council that the Shrine of the Blessed Sacrament has submitted a route and requests permission to conduct a procession on Sunday, June 22, 2014 at 1:00p.m. There was council consensus to approve the request.

3. Engineer's Report (SS)

Borough Engineer Schrek gave the following report:

Johnson Drive

I met with the contractor and representative from the bonding company who apparently is working as an agent. I marked out limits of repairs, redefined scope and provided all the contract and specification information I have. As of this writing I still do not have a start 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

Letters to homeowners have been mailed. We will be advertising for bids next week.

2012 Sewer Repairs

National Watermain is proceeding, now, with completion of the utilizing formed in place liners. The project is addressing required repairs discovered during video analysis of the pipes in the vicinity of Canal Street and the Zeuss property. Work has been sporadic due to the heavy flow in the sewer. By observation, this is directly attributable to high ground water, poor soils and drainage. Clearly, a much larger capital investment is necessary to reduce the metered, extraneous flow to the RVRSA plant. We will prepare an analysis and investigate funding sources. The state Environmental Infrastructure Trust is a possibility.

2014 CDBG Applications - Victoria Ave

Mayor Liptak and I presented our application, before the select committee, on May 7. We have learned that we will be receiving full funding. \$98,405.00

Orlando Drive, Phase 2

A preconstruction meeting was held on April 3. The contractor will commence work on 5/8.

Orlando Drive, Phase 3

NJDOT has awarded a \$257,000 grant. The limits of project are from Thompson Street (terminus of Phase 2) to the intersection at Old York Road.

Tillman Street Improvements

Stonebridge is obligated, per the Settlement Agreement, to construct improvements on Tillman Street. The work has commenced. The scope of work is drainage improvements, new curb and sidewalk, roadway base repairs, milling and overlay.

NJ American Watermain Improvements

NJAWC is requesting road opening permits to replace old 4" CIP main with 8" DIP on Colfax Street, Church Street and Coddington Street. As with last year's project, the road will be milled and resurfaced upon completion. The Borough will be responsible for ADA compliant sidewalk ramps and MS4 compliant storm inlets.

4. Swaminarayan Mandir Loyadham Temple Parade (ML)

Mayor Liptak welcomed back the representatives of the Swaminarayan Mandir Loyadham Temple and asked if they would answer some additional questions concerning the ceremonial parade scheduled for Friday, August 1, 2014.

Discussion ensued regarding the timing of the parade and the possible inconvenience and traffic congestion it could create on a busy Friday afternoon. It was suggested that the Temple representatives consider modifying the route and shortening the parade. The members of the Temple proposed that if they could get approval on the time slot they would consider shortening the route.

Mayor Liptak called for a consensus of Council to approve the parade with the purposed shortened route and time between 3:00p.m. and 5:00p.m.

Recorded Vote: Aye: Gara, Lobell, Sibilialia  
Nay: Carra, Giraldi, Tozzi  
Abstain: XXX

Mayor Liptak voted Aye to break the tie.

Motion Carried 4-0-3.

The Temple representatives were directed to communicate with Borough Administrator Jaxel to finalize the plans.

5. Somerville/Raritan Rescue Squad (AS)  
Councilman Sibilgia announced that the Somerville/Raritan Rescue Squad would attend the next Borough Council Meeting on May 27, 2014.

6. Addition to the Library and Tree Pruning (ML)  
Mayor Liptak asked if Council had any additional questions about the proposed Library addition. Councilman Giraldi stated that he has many additional questions and requested that another meeting be arranged for a question and answer session.

There was Council consensus to discuss this issue further at the next Council Meeting on May 27, 2014 at 6:00p.m.

It was also agreed to proceed with the tree pruning through Absolute Tree Experts and to pay for it out of the Borough budget.

7. State Library Grant Balance (DJ)  
Borough Administrator Jaxel informed Mayor and Council that he is working with the architect to see if the remaining balance from the Historic Library Trust, which is about \$40,000.00, can be extended. The project is complete and there is no guarantee that the State will approve the extension; however, he will continue to work with the architect to see if the extension is possible.

8. Assembly Bill A2621 "Authorizing County Government to Appoint Assessors for Taxes" (ML)  
Mayor Liptak stated that she has had conversations with members of the NJ League of Municipalities and Borough Assessor Stives regarding this issue. This system has been implemented in Gloucester County and the NJLM along with many municipal assessors in the County are opposed to this Bill.

Borough Administrator Jaxel stated that neighboring municipalities have passed Resolutions in opposition and he feels that local tax assessing is more advantageous to the residents.

Mayor and Council requested that a Resolution be added to the next agenda opposing Assembly Bill A2621.

9. Current Ordinance - Towing (SG)  
Councilwoman Gara informed Mayor and Council that she has had a meeting with Police Chief McCormick regarding the current

towing ordinance and would like to turn the discussion over to him.

Chief McCormick suggested that some of the terminology in the ordinance be revised and he would like the Borough Attorney to draft the appropriate changes regarding the procedure to release of a car.

10. Current Ordinance - Housing (SG)

Councilwoman Gara stated that it has been brought to her attention that a property owner is attempting to fence their property with firewood stacked five feet high. Property maintenance would like to suggest that the housing ordinance be amended to prohibit storing more than one cord of wood on residential properties because of the potential nuisances it may incur. Discussion ensued on how much firewood is appropriate to store on properties.

Borough Attorney Wenner informed Council that standards can be adopted on how to properly store firewood on residential property. Council agreed to have Mr. Wenner draft some standards to be addressed at a later date.

11. Proposed Ordinance - Brush, Grass, Weeds and Debris (RW)

Borough Attorney Wenner stated that he drafted the proposed ordinance to have more regulation over the maintenance of residential properties. Mr. Wenner reviewed the proposed ordinance and discussion ensued on the specifics of the ordinance and how the ordinance would be regulated and enforced.

Borough Administrator Jaxel stated that this ordinance presents a serious due process problem and residents should have their right to due process through the court system. Mr. Jaxel stated that there are checks and balances in the court system and the judge should be the deciding official due to his impartiality. Mr. Jaxel commented that this ordinance has potential abuses because it is too broad and the Borough should attempt to remedy the problem before putting a lien on the property for maintenance.

There was Council consensus to not move forward with this ordinance.

12. Proposed Ordinance - Stream Corridor Protection (DJ)

Borough Engineer Schrek stated that this ordinance protects the transition and drainage areas along the streams and rivers. Mr. Schrek would like to review the enforcement regulations before moving forward.

13. DPW Trailer (AS)

Councilman Sibilialia commented that he would like Council's approval to dispose of the DPW Trailer because it creates potential issues.

Discussion ensued on how the trailer was acquired and the proper procedure to dispose of the trailer since it is a FEMA trailer.

Mayor Liptak called for a motion to dispose of the DPW trailer.

On motion by Councilman Sibilialia, seconded by Councilwoman Cara, it was moved to dispose of the DPW trailer according to proper regulations.

Recorded Vote: Aye: Carra, Giraldi, Sibilialia, Tozzi  
Abstain: XXX  
Nay: Gara, Lobell

14. Woodmere Street Stream (DC)

Councilwoman Carra reported that she received a complaint from a neighbor on Woodmere Street about possible erosion from the stream that runs behind the property. Borough Engineer Schrek will take a look at the situation.

15. Borough Health Benefits (AS)

Councilman Sibilialia commented that he would like to propose an extension of employee health benefits, for one additional month, upon the death of an employee to give the surviving family members' time to get their affairs in order.

Discussion ensued on the cost of the additional coverage and the impact on the Borough's budget.

There was council consensus to look into this proposal further and to investigate the cost it may incur and if it is permissible under state guidelines.

16. Background Investigations (ML)

Mayor Liptak commented that a situation has arisen regarding a negative background check on a potential candidate for employment and requested Council's opinion on how they would like to address these situations going forward.

After a brief discussion, it was decided that the department liaisons would address these situations with the department heads.

17. Middle Earth (SG)

Councilman Gara reported that there was a situation recently in town where a group of individuals circulating flyers got a little out of control and requested that something should be in place to govern these situations.

Police Chief McCormick stated that the police department was given the route of the circulators; however the group arrived ahead of schedule and was supposed to be under adult supervision.

**ORDINANCES - SECOND READING**

Ordinance No. 2014-02 - Calendar Year 2014 - Ordinance to Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

Mayor Liptak requested a motion to open the Public Hearing.

On motion by Councilman Lobell, seconded by Councilwoman Carra, it was moved to open the public hearing on Ordinance No. 2014-02.

Recorded Vote:

Aye: Carra, Gara, Giraldi, Lobell, Sibilialia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Richard Yadlosky of 267 Weiss Terrace, Raritan, New Jersey asked for a definition of a cap bank.

Borough Administrator Jaxel explained the purpose of a cap bank ordinance and informed Mr. Yadlosky that this ordinance is part of the budget process and that the Borough is not even close to the cap.

There being no more comments Mayor Liptak requested a motion to close the public hearing.

On motion by Council President Tozzi, seconded by Councilwoman Carra, it was moved to close the public hearing.

Recorded Vote:

Aye: Carra, Gara, Giraldi, Lobell, Sibilia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

On motion by Councilwoman Gara, seconded by Councilwoman Carra, it was moved to adopt Ordinance No. 2014-02.

Recorded Vote:

Aye: Carra, Gara, Giraldi, Lobell, Sibilia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

**CY 2014 MUNICIPAL BUDGET**

Mayor Liptak read the CY 2014 Municipal Budget into record. Borough Administrator Jaxel read the total amount of revenues and appropriations.

Mayor Liptak requested a motion to open the Public Hearing.

On motion by Councilwoman Gara, seconded by Council President Tozzi, it was moved to open the public hearing.

Recorded Vote:

Aye: Carra, Gara, Giraldi, Lobell, Sibilia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Richard Yadlosky of 267 Weiss Terrace, Raritan, New Jersey commented that he would like to again stress the importance of his previous comments which express his opinion on public employee raises remaining under the two percent cap.

Councilman Giraldi informed Mr. Yadlosky that an individual employee is not subjected to the two percent cap; the two percent cap is on the entire budget.

Mr. Yadlosky argued that this is incorrect and requested that the Borough Attorney look into validity of this law through the Governor's office. After an inappropriate comment, Mr. Yadlosky was directed to take a seat by Mayor Liptak.

There being no more comments Mayor Liptak requested a motion to close the public hearing.

On motion by Councilman Giraldi, seconded by Councilwoman Carra, it was moved to close the public hearing.

Recorded Vote:

Aye: Carra, Gara, Giraldi, Lobell, Sibilialia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

On motion by Council President Tozzi, seconded by Councilwoman Gara, it was moved to adopt the CY 2014 Municipal Budget.

Recorded Vote:

Aye: Carra, Gara, Giraldi, Lobell, Sibilialia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

**RESOLUTIONS**

Resolution No. 2014-05-75 - A Resolution Re-Appointing Lisa Simonetti as Tax Collector

On motion by Councilwoman Gara, seconded by Councilman Lobell, it was moved to adopt the Resolution No. 2014-05-75.

Recorded Vote on Resolution No. 2014-05-75:

Aye: Carra, Gara, Giraldi, Lobell, Sibilialia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2014-05-76 - A Resolution of the Borough of Raritan, County of Somerset, State of New Jersey, Authorizing the Execution of a License Agreement with the County of Somerset to Permit the Installation of a Permanent Basketball Hoop/Backboard/Pole

On motion by Councilman Lobell, seconded by Councilwoman Gara, it was moved to adopt the Resolution No. 2014-05-76.

Recorded Vote on Resolution No. 2014-05-76:

Aye: Carra, Gara, Giraldi, Lobell, Sibilia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2014-05-77 - Resolution Authorizing Discharge of Lien

On motion by Councilwoman Gara, seconded by Councilman Lobell, it was moved to adopt the Resolution No. 2014-05-77.

Recorded Vote on Resolution No. 2014-05-77:

Aye: Carra, Gara, Giraldi, Lobell, Sibilia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

**PURCHASE ORDER REQUESTS**

1. Raritan Recreation Commission (Uniforms and Hats): Screen Styles in the amount of \$3,192.75

On motion by Councilman Sibilia, seconded by Council President Tozzi, it was moved to approve the above listed purchase order request.

Recorded Vote:

Aye: Carra, Gara, Giraldi, Lobell, Sibilia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

2. Raritan Recreation Commission (Wood chips for all playgrounds): Mulch Supply Company in the amount of \$5,400.00

On motion by Councilman Sibilia, seconded by Councilwoman Gara, it was moved to approve the above listed purchase order request.

Recorded Vote:

Aye: Carra, Gara, Giraldi, Lobell, Sibilia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

3. Fire Department (Knox Box Decoder): Knox in the amount of \$1,602.00

On motion by Council President Tozzi, seconded by Councilwoman Gara, it was moved to approve the above listed purchase order request.

Recorded Vote:

Aye: Carra, Gara, Giraldi, Lobell, Sibilia, Tozzi

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

**CORRESPONDENCE**

Council President Tozzi reported on the sunflower contest. Mr. Tozzi also announced that the bike race will be held next Saturday, May 21, 2014, the name has been changed back to the John Basilone Bike Race, and the banner will be going up soon.

Councilwoman Gara reported that the diseased trees outside the Municipal Building have been removed. An organization would like to donate replacement trees. Discussion developed on the original site plan for the municipal building.

Councilman Lobell reported that the garden club is doing a great job maintaining the flower beds in the park. Mr. Lobell requested the assistance of the Public Works department to bring a twenty-five gallon jug of water to the area.

Councilwoman Carra stated that she finds it offensive to allow a resident to talk about an employee in an offensive manner and an employee should not be subjected to such abuse. Ms. Carra read a list of jobs that Public Works Manager LaVerde has performed for the Borough over the years. Ms. Carra also stated that Mr. LaVerde has been a dedicated employee for forty-five years and deserves more respect.

Mayor Liptak reported on a letter received from the Governor's office which authorizes \$253,742.00 for phase III of the Orlando Drive project.

**PUBLIC COMMENTS**

Geraldine Cicero, 5 Woodmere Street, Raritan, New Jersey inquired about Councilman Sibilia's request for additional health benefits to recently deceased employees survivors. Ms. Cicero commented that someone would not want to be left without coverage at that time and this is something that should be addressed. Ms. Cisero also stated that she is appalled by Council President Tozzi's mannerisms on the dais.

Richard Yadlosky of 267 Weiss Terrace, Raritan, New Jersey commented that Borough Administrator Jaxel has had a vision with regard to his comments on the proposed brush ordinance discussion. Mr. Yadlosy also stated that he can say anything he wants regarding an employee and Mayor and Council's behavior; he will exercise his first amendment rights. After becoming specious, Mayor Liptak directed Mr. Yadlosky to sit down.

Jim Fohey of 710 Rhine Boulevard, Raritan, New Jersey commented that Councilman Sibilia has a good point about the end time of the Temple parade because events typically never end as scheduled; also there are many other factors to consider.

Adele Goetsch of 6 Nevius Street, Raritan, New Jersey commented if anyone else in town has ever gotten a raise or is it just Mr. LaVerde's raise that comes up again and again.

**EXECUTIVE SESSION**

Resolution 2014-05-78 - Executive Session - Subject Matter:  
Litigation-Gannett, Personnel-Public Works, Police Contract  
Negotiations, Golf Lease

On motion by Councilwoman Gara, seconded by Councilman Sibilia, it was moved to adopt Resolution 2014-05-78.

Recorded Vote on Resolution No. 2014-05-78

Aye: Carra, Gara, Giraldi, Lobell, Sibilia, Tozzi  
Nay: XXX  
Abstain: XXX

Motion Carried 6-0.

Council broke for a brief recess at 8:50p.m. and convened in Executive Session at 8:58p.m.

On motion by Councilwoman Gara, seconded by Councilman Lobell,  
it was moved to come out of Executive Session.

Recorded Vote: AYE: All Ayes.  
                  NAY: XXX  
                  Abstain: XXX

Motion Carried 6-0.

Council resumed in open session at 9:52p.m.

Mayor Liptak briefly reviewed the topics discussed in Executive Session.

**ADJOURNMENT**

On motion by Councilman Giraldi, seconded by Councilman Lobell,  
it was moved to adjourn the meeting.

Recorded Vote: AYE: All Ayes.  
                  NAY: XXX  
                  Abstain: XXX

Motion Carried 6-0.

Meeting adjourned at 9:53p.m.

Respectively Submitted,

\_\_\_\_\_  
Marguerite Schmitt, RMC  
Borough Clerk

Approved: \_\_\_\_\_