

The Agenda-Workshop Meeting of the Raritan Borough Council was called to order by Mayor Liptak at 7:00p.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 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.

**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 McGregor, Borough Administrator Jaxel, Police Chief McCormick, Borough Clerk Schmitt

**FLAG SALUTE AND MOMENT OF SILENCE**

Councilwoman Carra led the invocation and flag salute.

**PUBLIC COMMENT**

Richard Yadlosky of 267 Weiss Terrace, Raritan, New Jersey addressed Mayor and Council and stated that in light of President Obama's recent movements he must be impeached. Mr. Yadlosky requested that Mayor and Council pass his comments on to the County and the State house.

**EXECUTIVE SESSION**

Resolution No. 2014-06-89 - Executive Session - Subject Matter: Rescue Squad, Golf Lease, Personnel-Judge

On motion by Councilman Sibilialia, seconded by Councilwoman Gara, it was moved to adopt Resolution 2014-06-89.

Recorded Vote on Resolution No. 2014-06-89

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Council convened in Executive Session at 7:05p.m. and moved discussion to Council chambers. Borough Engineer McGregor and Police Chief McCormick were not in attendance.

On motion by Councilwoman Gara, seconded by Councilman Sibilgia,  
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 7:35p.m.

### **WORK SESSION**

#### **1. Engineer's Report (SS)**

Borough Engineer McGregor 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 we still do not have a start date.

Recently, we were called to investigate a continual sanitary sewer backup on Johnson Drive. DPW has jetted the line, many times and suggested that a pipe may have failed. TV camera investigation indicates that the pipe is not broken, but rather was routed below a 60" RCP storm sewer which crosses Johnson Drive, feeding Gaston Brook. This gravity line continually clogs with solids within the "dip" below the pipe. This was obviously a quick field solution to avoid a conflict at time of the 60" pipe installation, the effects of which are realized now. The cost to correct the situation, by installing an concrete arch pipe (as should have been done originally) and replacing the "dipped" sanitary line is approximately \$100,000.

We are making application to NJDOT as this repair is a likely candidate for Discretionary Aid funding. A Resolution, in support of the application, is recommended. In the interim, DPW must continually monitor the pipe in an effort to stay ahead of any backup. In the event the application is denied, or only partially funded, the Borough must budget the cost to repair the pipe.

Regarding the standing Johnson Drive project, we will pull the limits of paving clear of the work area and include the trench resurfacing in the cost of the pipe repair project. NJDOT will be notified accordingly.

**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**

Bids were received June 5. Of nine bids received, S. Batata Construction of 238 Ernston Road Parlin, NJ, is the lowest responsible bidder with a total base bid of \$89,237.50 which compares, favorably, with our Engineer's Estimate of \$98,105.50. Our office has not worked personally with this contractor, however we have checked references and spoke with colleagues and found no negative comments. Accordingly, an award is recommended. This project is funded through our 2013 CDBG.

**2012 Sewer Repairs**

National Watermain is proceeding with completion of the project 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 of \$98,405.00.

**Orlando Drive, Phase 2**

The project is continuing smoothly. As of this writing, new curb has been installed on both sides of Orlando Drive. Sidewalk installation is proceeding. Roadwork, including base repair will continue next week.

We have designed a mid-block crosswalk, the location of which must be defined by Ordinance. This needs coordination with NJDOT.

**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. Work is continuing.

**NJ American Watermain Improvements**

NJAWC is proceeding with the replacement 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.

2. Chapter 88 Retirement Benefits (AS)

Borough Attorney Wenner reported that he has not completed his research on this topic and will have a report at a later date.

3. Acceptance of Resignation from Property Maintenance Inspector (DJ)

Mayor Liptak stated that the Borough has received a resignation from George E. Jones, Property Maintenance Inspector.

On motion by Councilman Lobell, seconded by Council President Tozzi, it was moved to accept the resignation of George E. Jones, Property Maintenance Inspector.

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

Motion Carried 6-0.

4. Library Lease (DJ)

Councilman Lobell inquired if the Councilmembers had any questions on the proposed library lease. Discussion developed on which party was responsible for the maintenance of the library and the permitted use of the Library Capital Fund.

Discussion continued on the terms of the lease including the operating hours, permitted functions and allowable expenses from the Santora fund.

Councilman Lobell stated that the library trustees are satisfied with the current version of the lease.

On motion by Councilman Gara, seconded by Council President Tozzi, it was moved to approve the lease with the Raritan Public Library.

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

Motion Carried 4-2-0.

5. Work - Library Grant balance (DJ)

Borough Administrator Jaxel updated Council on the Historic Trust Committee meeting and the items that will be applied for from the library grant balance. Mr. Jaxel informed Council that the State will most likely only approve the upgrading of the handicap accessible ramp for which the Borough will need to resubmit forms to access the funds.

6. Water supply bibs/taps and landscaping for Municipal Building (SG)

Councilwoman Gara announced that Japanese Cherry Blossom trees will be planted between the parking lots at the Municipal Building on Wednesday, June 18<sup>th</sup> at 3:00p.m. Students from John F. Kennedy Elementary School will participate in the planting.

Councilwoman Gara also reported that a proposal was acquired from Hillsborough Irrigation & Landscape Services to install a water irrigation system. Ms. Gara requested approval of the irrigation system in order to properly maintain the plantings at the municipal building.

On motion by Councilman Gara, seconded by Council President Tozzi, it was moved to approve \$2,500.00 for an irrigation system for the Municipal Building to Hillsborough Irrigation & Landscape Services.

Recorded Vote:

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

Motion Carried 6-0.

Councilwoman Gara also requested that the plant beds be turned and mulch be added to the area. Council President Tozzi said that this issue would be addressed once the irrigation system was completed.

7. Street Closure for St. Ann's Festa (DJ)

Borough Administrator Jaxel informed Council about a request received from St. Ann's Church and School for permission to

block access to Second Avenue from the corner of the school property to the corner of the convent parking lot for the Festa. Council had no objections to this request.

8. Utilization of Orlando Drive Park (PG)

Councilman Giraldi stated that there is a piece of property on Orlando Drive which is not being utilized as a recreational or business area and suggested that the Borough establish a use for this property. Councilwoman Gara stated that the Master Plan has established that area for recreational use. Discussion ensued on other suggested uses of the property.

Borough Engineer McGregor stated that a summit is scheduled for this Friday and there is a lot of interest in that area. Councilwoman Gara stated that things are beginning to materialize that have been developing over the past few years.

Mayor Liptak expanded on the discussion and stated that currently the Borough does not have any regulations in place to govern the use of parks by private parties. Mayor Liptak requested that Councilman Sibilgia and another councilmember volunteer to assist the recreation commission in developing rules and regulations for park usage. Councilman Giraldi volunteered to assist.

9. Paying sewer charges from Bridgewater (DJ)

Borough Administrator Jaxel requested authorization to pay Bridgewater for sewer charges prior to the end of the month. Council had no objections.

10. Approval of Bagelicious 10<sup>th</sup> Anniversary Celebration (DT)

Council President Tozzi informed Mayor and Council that Bagelicious plans to hold a 10<sup>th</sup> Anniversary Celebration on June 21, 2014 from 12:00p.m. to 8:00p.m on their property. Mr. Tozzi reviewed the particulars of the celebration and inquired if Council had any concerns. Mayor Liptak stated that a celebration on private property does not require approval.

11. Supporting VFW Parade - \$150 for food and soda (DT)

Council President Tozzi suggested that the Borough donate \$150.00 toward food and soda for the VFW parade. Discussion ensued on whether this would be permissible. Borough Attorney Wenner stated that he would investigate the legality of this donation.

12. Solicitation hours for Non-Profit Organizations (RW)

Borough Attorney Wenner informed Mayor and Council that a non-profit organization has made a request for a canvassing permit. Mr. Wenner reviewed his opinion letter on the subject and informed Council that standards set by case law allow a non-profit organization to canvass until 9:00p.m. which is past the 7:00p.m time set by Borough ordinance.

**ORDINANCES - FIRST READING**

Ordinance No. 2014-04 - Bond Ordinance Providing for Various Capital Improvements by the Borough of Raritan, New Jersey Appropriating the Aggregate Amount of \$524,700 Therefor and Authorizing the Issuance of \$498,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

**BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF RARITAN, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of Raritan, New Jersey (the "Borough") as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$524,700 and, including the aggregate sum of \$26,700 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$498,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

(a) Providing for the purchase of various protective equipment for the Fire Department.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 52,000	\$ 49,000	5 years

(b) Providing for the purchase of a command vehicle for the Fire Prevention Bureau.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 16,000	\$ 15,000	5 years

(c) Providing for Phase 3 reconstruction of Orlando Drive in the Borough, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$294,000	\$280,000	10 years

(d) Providing for repairs to, but not limited to, Columbus Avenue, Brooklyn Avenue and Richard Street located within the Borough, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 50,000	\$ 47,000	10 years

(e) Providing for the reconstruction of the Route 28 Pump Station, including all work and materials necessary therefor or incidental thereto.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$100,000	\$ 95,000	40 years

(f) Providing for the purchase of sewer camera for the Department of Public Works.

<u>APPROPRIATION</u>	<u>BOND AUTHORIZATION</u>	<u>PERIOD OF USEFULNESS</u>
\$ 12,700	\$ 12,000	40 years

<u>TOTAL APPROPRIATION</u>	<u>TOTAL BOND AUTHORIZATION</u>	<u>AVERAGE PERIOD OF USEFULNESS</u>
\$524,700	\$498,000	15.80 years

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the

date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the names of the purchaser.

Section 5. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 15.80 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and submitted to the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$498,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$105,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

On motion by Councilwoman Carra, seconded by Council President Tozzi, it was moved to introduce Ordinance No. 2014-04.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Mayor Liptak stated that This ordinance 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, July 8, 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 No. 2014-06-90 - Award of Contract for Sidewalk Improvements to Fifth Street

On motion by Councilwoman Gara, seconded by Councilman Lobell, it was moved to adopt Resolution No. 2014-06-90.

Recorded Vote on Resolution No. 2014-06-90:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2014-06-91 - Rescinding Resolution No. 2014-01-025 Awarding Golf Lease and Authorizing the Advertisement of Bids

On motion by Councilwoman Gara, seconded by Councilwoman Carra, it was moved to adopt the Resolution No. 2014-06-91.

Recorded Vote on Resolution No. 2014-06-91:

Aye: Carra, Gara, Giraldi, Lobell, Sibilia

Nay: XXX

Abstain: Tozzi

Motion Carried 5-0-1.

Resolution No. 2014-06-92 - Renewal of 2014-2015 Liquor Licenses

On motion by Councilman Lobell, seconded by Councilwoman Gara, it was moved to adopt the Resolution No. 2014-06-92.

Recorded Vote on Resolution No. 2014-06-92:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2014-06-93- Renewal of Plenary Retail Consumption License for the 2013-2014 License Year - Ye Olde York Inn

On motion by Councilman Lobell, seconded by Council President Tozzi, it was moved to adopt the Resolution No. 2014-06-93.

Recorded Vote on Resolution No. 2014-06-93:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2014-06-94 - Railroad Monthly Parking Refund

On motion by Councilwoman Gara, seconded by Councilman Sibilia, it was moved to adopt the Resolution No. 2014-06-94.

Recorded Vote on Resolution No. 2014-06-94:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

**PURCHASE ORDER REQUESTS**

1. Police Department - Computer Equipment with software - Onoama Consulting in the amount of \$5,415.00

On motion by Councilman Lobell, 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**

Mayor Liptak announced that there would be a suicide prevention walk on July 20<sup>th</sup> at Duke Island Park.

Mayor Liptak also announced that the Dare Graduation was held today and read an email from a parent who attended the graduation expressing her gratitude to all the officials who participated in the event.

In addition, Mayor Liptak informed Council that while attending a NJLM legislative committee meeting last week it was brought to her attention that a bill was being introduced that would require random drug testing of candidates for public office. The bill does not indicate how the testing would be performed and does not include a penalty if found in violation. The New Jersey League of Municipalities is opposed to this bill.

### **PUBLIC COMMENTS**

Jim Fohey of 710 Rhine Boulevard, Raritan, New Jersey commented that the idea of a soccer field at Orlando Drive Park was brought up by him years ago and this idea requires little maintenance. In addition, this area is a very good access point to the river due to the adequate available parking.

Mr. Foohey also commented that the intention of a community room extension to the library is for the benefit and use of the entire community. Futhermore, the Raritan Public Library will be holding a book sale this Saturday and this is a way to promote the library.

Richard Yadlosky of 267 Weiss Terrace, Raritan, New Jersey thanked Councilman Giraldi for his concern for the tax payers for which he noted should include not awarding a raise to Mr. Daniel LaVerde.

Mr. Yadlosky also commented on the Raritan River Project and the meeting which was held recently at Duke Island Park. He expressed his dissatisfaction with the presentation by Dr. Judy Shaw from Rutgers University. After, Mr. Yadlosky was allowed to express his opinions both Mayor Liptak and Councilwoman Gara defended Dr. Shaw for her expertise in this field. They also noted that Dr. Shaw had recently experienced a serious fall were she suffered major brain damage. It was noted that Mr. Yadlosky's comments were inappropriate.

Thomas Brown of 18 Elmer Street, Raritan, New Jersey inquired as to the length of the lease with the Raritan Public Library and was informed that it was a five year term.

Mr. Brown also commented that the lack of activity at the riverfront is frustrating. He stated that the Planning Board

plans to recommend that Council start working on developing the riverfront area. Mr. Brown continued that Duke Island Park has thousands of visitors who inquire if there is anything additional to do in the area and because Raritan has nothing to offer, the visitors are being sent to the mall or neighboring towns. Mr. Brown stated that Raritan Borough has a lot to offer and needs to move forward without hesitation.

**ADJOURNMENT**

On motion by Councilwoman Gara, seconded by Councilman Sibilgia, it was moved to adjourn the meeting.

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

Motion Carried 6-0.

Meeting adjourned at 9:00p.m.

Respectively Submitted,

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Marguerite Schmitt, RMC  
Borough Clerk

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