

August 26, 2014  
Regular Meeting

The Regular 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 Sibiliala, Council President Tozzi

Absent: XXX

Also Present: Mayor Liptak, Borough Attorney Wenner, Borough Engineer Schrek, Borough Administrator Jaxel, Police Chief McCormick, Borough Clerk Schmitt

**FLAG SALUTE AND INVOCATION**

Council President Tozzi led the invocation and flag salute.

**PUBLIC COMMENT**

Bruce Doorly of 807 Bound Brook Avenue, Raritan, New Jersey stated that within the next few months a total of twenty-seven plaques of war heroes will be unveiled and hung in the Municipal Building. The funding is courtesy of Mr. Ed Danberry of Civic Duty Partners. This event will take place during a UNICO Breakfast at a later date in the Community Room of the Municipal Building.

Mr. Doorly also stated that he is upset about the situation that unfolded with Bob Andreychak. Mr. Doorly said that Bob was a dedicated Recreation leader, who wanted to continue in the Recreation Department; however, he no longer wants to be involved because of the way the situation transpired. Mr. Doorly thought Mr. Andreychak should have been a slam dunk for the Recreation Director position. A guy like him is hard to find and Mr. Doorly hopes the Borough can get him back.

Geraldine Cicero of 5 Woodmere Street, Raritan, New Jersey stated that she is a member of UNICO, the largest Italian American service organization in the United States and the motto

of the organization is service above self. Ms. Cicero stated that the organization has donated signs for the Basilone Bridge, cleaned up along the riverfront and performed other service functions throughout the Borough. The organization is currently conducting a membership drive and requested permission to place a flyer in the kiosk by QuickChek.

Richard Yadlosky of 267 Weiss Terrece, Raritan, New Jersey stated that he appreciates the accolades to the World War II veterans. Mr. Yalosky also asked for an explanation of the situation with Mr. Andreychak.

Councilman Lobell stated that Mr. Andreychak, who was recommended for the Recreation Director position by the retiring Director, resigned when Council decided to advertise for this position instead of offering it to Mr. Andreychak. Although, Mr. Lobell was not in support of the idea, Council felt they should explore different ideas and opinions. Mr. Andreychak took this as a personal affront and resigned.

Councilman Giraldi stated that Council received the present Recreation Director's resignation and ideas, Council thought they should open the hiring process to make it fair and transparent. Mr. Giraldi said Mr. Andreychak would have been included in the process due to his experience but unfortunately Mr. Andreychak took this as a personal attack and resigned.

Mayor Liptak explained that Mr. Bartolucci presented Council with an outline of his duties prior to resigning. Mayor Liptak felt that the Recreation Director position should be a seamless transition to Mr. Andreychak and a logical choice; however, Council felt otherwise.

Adele Goetsch of 6 Nevius Street, Raritan, New Jersey stated that in the past she has not always felt safe living on Nevius Street. This year, it is one hundred percent better and she would like to thank the Police Chief for making Nevius Street and the surrounding area a safer place.

James Foohey of 710 Rhine Boulevard, Raritan, New Jersey inquired when Council knew Richard Bartolucci was retiring and stated that he just assumed Bob Andreychak would get the position due to his dedication and tenure. Mr. Foohey said that if he was Mr. Andreychak he would feel insulted too. He also asked how it would be fair to the other applicants if Council planned to give the position to Mr. Andreychak anyway. Mr. Foohey stated that Council should have asked Bob Andreychak if

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he was interested in the position and should have promoted from within.

Council President Tozzi stated that Council thought very highly of Bob Andreychak. Mr. Tozzi was under the impression that Council was required to go through the proper steps to hire a new Recreation Director; however, the process got blown out of proportion.

Geraldine Cicero of 5 Woodmere Street, Raritan, New Jersey stated that in her opinion the Recreation Director should not have been a new job position; it should have been a job promotion.

**APPROVAL OF MINUTES**

July 22, 2014 - Regular Meeting

On motion by Councilman Lobell, seconded by Council President Tozzi, it was moved to approve the July 22, 2014 - Regular Meeting minutes.

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

Motion Carried 5-0-1.

August 12, 2014 - Agenda-Workshop Meeting

On motion by Councilwoman Carra, seconded by Councilman Lobell, it was moved to approve the August 12, 2014 - Agenda-Workshop Meeting minutes.

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

Motion Carried 5-0-1.

August 12, 2014 - Executive Session

On motion by Councilman Sibilialia, seconded by Councilwoman Carra, it was moved to approve the August 12, 2014 - Executive Session minutes.

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Councilman Lobell requested that it be included in the Executive Session minutes that he stated that the hiring of Mr. Andreychak would be the easiest and best decision this Council could make.

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

Motion Carried 5-0-1.

**ORDINANCES - SECOND READING**

Ordinance No. 2014-06 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Amending Chapter 207, Land Use and Development, Part 6, Zoning, to Add a New Section 207-90.1 Regulating the Outdoor Storage of Firewood in Residential Areas of the Borough

Mayor Liptak requested a motion to table the Public Hearing on Ordinance No. 2014-06 until the meeting of September 23, 2014.

On motion by Councilwoman Gara, seconded by Council President Tozzi, it was moved to table the public hearing on Ordinance No. 2014-06 until September 23, 2014.

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

Motion Carried 6-0.

Ordinance No. 2014-07 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Amending Chapter 207, Land Use and Development, Part 6, Zoning, to Amend Chapter 207-126, Entitled RG-Riverfront Greenway in Order to Add New Standards

Mayor Liptak requested a motion to open the Public Hearing on Ordinance No. 2014-07.

On motion by Councilwoman Gara, seconded by Councilman Lobell, it was moved to open the public hearing on Ordinance No. 2014-07.

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

Motion Carried 6-0.

There being no comments, Mayor Liptak called for a motion to close the public hearing.

On motion by Councilwoman Gara, seconded by Council President Tozzi, 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 Councilman Lobell, it was moved to adopt Ordinance No. 2014-07.

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

Motion Carried 6-0.

Ordinance No. 2014-08 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Amending Chapter 315, Storm Water Management, of the Code of the Borough of Raritan to Add a New Article VII, Stream Corridor Protection

Mayor Liptak requested a motion to open the Public Hearing on Ordinance No. 2014-08.

On motion by Councilwoman Gara, seconded by Council President Tozzi, it was moved to open the public hearing on Ordinance No. 2014-08.

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

Motion Carried 6-0.

There being no comments, Mayor Liptak called for a motion to close the public hearing.

On motion by Councilwoman Gara, seconded by Councilman Lobell, 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 Councilwoman Gara, seconded by Councilman Lobell, it was moved to adopt Ordinance No. 2014-08.

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

Motion Carried 6-0.

**RESOLUTIONS**

Resolution No. 2014-08-123 - Disposition of Equipment by the Police Department

On motion by Council President Tozzi, seconded by Councilwoman Gara, it was moved to adopt Resolution 2014-08-123.

Recorded Vote on Resolution No. 2014-08-123.  
Aye: Carra, Gara, Giraldi, Lobell, Sibilialia, Tozzi  
Nay: XXX  
Abstain: XXX

Motion Carried 6-0.

Resolution No. 2014-08-124 - Railroad Monthly Parking Refund

On motion by Councilwoman Gara, seconded by Councilwoman Carra, it was moved to adopt Resolution 2014-08-124.

Recorded Vote on Resolution No. 2014-08-124.  
Aye: Carra, Gara, Giraldi, Lobell, Sibilialia, Tozzi  
Nay: XXX

Abstain: XXX

Motion Carried 6-0.

**APPROVAL OF BILLS LIST**

Mayor Liptak called for a motion for approval of the Bills List.

On motion by Councilwoman Gara, seconded by Council President Tozzi, it was moved to approve the Bills List totaling \$1,830,009.61.

Mayor Liptak stated that she wanted everyone to understand that the payment on page five of the check register to the American Society of Composers is the license fee for music at public events.

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

Motion Carried 6-0.

**PURCHASE ORDER REQUESTS**

1. Celebration of Public Events - Raritan Borough Custom and Patriotic Banners - Gates Flag & Banner Co., Inc. in the amount of \$3,600.00

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

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

Motion Carried 6-0.

2. Fire Department - Annual Hurst Extrication Equipment Service - TASC Fire Apparatus, Inc. in the amount of \$3,441.00.

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

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

Nay: XXX  
Abstain: XXX

Motion Carried 6-0.

3. Police Youth Programs - Rental of Play Units for Raritan Borough River Fest - Big Mark's Inc. in the amount of \$1,500.00.

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

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

Motion Carried 6-0.

#### **COMMITTEE AND LIAISON REPORTS**

Council President Tozzi stated that Parks and Grounds is currently working on the trees on Somerset Street and should complete this project by next month. The Basilone Parade is moving along well, everything is falling into place. A 501C Non-Profit organization called the Basilone Group has been formed and is sponsoring this year's concert at the college through fundraising. This non-profit will sponsor a lot more events next year. Mr. Tozzi also stated that the duck race is off and running and a great deal of money has already been raised.

Councilman Sibilialia reported that the Board of Education approved the Sunesys request at their last meeting and school will resume on Thursday, September 4<sup>th</sup>. Mr. Sibilialia also reported that Property Maintenance gave a resident a fine for leaving tree stumps on the street; these stumps should have been taken away by the tree contractor. Mr. Sibilialia stated that Property Maintenance and the Department of Public Works should work together and be consistent. Also, if residents have limbs please place them curbside no earlier than Thursday. Mr. Sibilialia also stated that Richard Bartolucci will be resigning on September 1<sup>st</sup> and Council needs to find a replacement promptly.

Councilwoman Gara reported that the Environmental Commission will be purchasing a rainbow and composter for a drawing for participants who visit their table during the River Fest.

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Councilman Lobell reported on the number of Police calls and stated that the Police Department is currently working on hiring their nineteenth officer. Also, a police car was involved in a motor vehicle crash, no one was injured. Mr. Lobell also reported that the Cultural and Historical Committee now has an email address which will be given to the president. Also, the Regional Center put up four speed control meters, Borough Engineer Schrek will look into the proper placement.

Councilman Giraldi stated that the Board of Health does not meet again until September and the Police contract negotiations will be reported in executive session.

Councilwoman Carra gave a report on the Municipal Court for the month of July and stated that the Senior Citizens held their annual picnic in August and their next monthly meeting will be in September. Ms. Carra is co-chairing with Council President Tozzi the River Fest which will be held on September 28<sup>th</sup> with a rain date of October 5<sup>th</sup>; this is a great fund raiser, hopefully everyone can try and attend.

Mayor Liptak stated that she had the opportunity to meet with the new Superintendent of the Bridgewater-Raritan Regional School District, Dr. Victor Hayek. Mayor Liptak commented that Dr. Hayek is the father of young children and is very enthusiastic and dedicated to education.

Mayor Liptak also reported that she had a number of resignations to read which included Bob Andreychak and Joseph Forte from Recreation and Fred Mountjoy, who is moving to Pennsylvania, and James Brick, who is resigning due to his work schedule from the Library Committee.

Mayor Liptak wished everyone a safe and happy Labor Day.

#### **OLD BUSINESS**

##### **1. Library Audit/Finances (PG)**

Councilman Giraldi stated that Council received the Library Audit for review and he has some questions. Mr. Giraldi commented that the last few years the Capital Improvement Fund has been increased significantly and this increase reduces the operating fund which consequently reduces any money coming back to the Borough. Also, the Santora Fund has approximately \$200,000.00 and will this money be used for improvements to help defray tax payer money.

Ronald Rispoli, President of the Library Committee stated the delay in the Library Audit was due to collecting contracts for capital improvements. Mr. Rispoli gave a report on the Library Audit.

Discussion ensued on why the capital improvement fund increased significantly. Mayor Liptak suggested that it may be helpful if the Library Auditor could come to the next Council meeting and explain the process. Mayor Liptak requested that Mr. Rispoli make arrangements with the auditor to attend the September 9<sup>th</sup> Council Meeting at 6:30p.m.

2. Fire Prevention Fees (DJ)

Borough Administrator Jaxel informed Council that Frank D'Amore wanted to raise the Fire Department fees and requested Council's approval. Council had no objections.

3. John Basilone Parade Contribution (DJ)

Borough Administrator Jaxel inquired if Council had an issue with the \$14,000.00 contribution to the Basilone parade. There was Council consensus to give the contribution to the committee.

4. Boat Ramp (PG)

Councilman Giraldi asked if Councilwoman Gara would elaborate on the boat ramp. Ms. Gara requested that this item be added to the next Agenda-Workshop Meeting and also asked if Council is agreeable to the Central Jersey Stream Team giving a brief explanation on this topic at that meeting.

5. Open-Air Market (SG)

Councilwoman Gara asked Borough Engineer Schrek where this item stands. Mr. Schrek gave a brief report on the status of the project.

6. Continuation of Health Benefits for Surviving Spouses (AS)

Councilman Sibilgia requested an update on the status of this item from Borough Attorney Wenner. Mr. Wenner stated that he is currently drafting an Ordinance for Council's review.

**NEW BUSINESS**

1. Council Meeting Start Time (PG)

Councilman Giraldi requested that Council consider starting the meetings at 6:00p.m. Discussion ensued on revising the start times of the regular and executive sessions. Mayor Liptak stated that the meeting time should remain the same for the remainder of the year and Council could consider a new

start time for 2015. Councilman Sibilia suggested a business casual dress code for the meetings.

2. Recreation Stone Dedication (GL)

Councilman Lobell proposed that a plaque be placed on the stone at Frelinghuysen Park for Richard Bartolucci and Robert Andreychak for their dedication and service. Council approved.

3. Executive Session Protocol (AS)

Councilman Sibilia stated that he wanted to remind Council that what is said in Executive Session should stay in Executive Session.

**PUBLIC COMMENTS**

Thomas Brown of 18 Elmer Street, Raritan, New Jersey stated that from the public point of view executive session appears to be sneaky. He also commented that the Raritan Public Library is a great place and you are missing out if you don't take advantage of its service.

Richard Yadlosky of 267 Weiss Terrece, Raritan, New Jersey made several comments of which included that the Library is not free just check your tax bill, Mr. Andreychak has no respect for Council, the Open Air Market is a fantasy land in town, and Borough Administrator Jaxel should know the amount in the Santora Fund.

James Foohey of 710 Rhine Boulevard, Raritan, New Jersey commented that a 6:00p.m. Council meeting start time is too early for residents. Mr. Foohey asked if the land for the Open Air Market was going to be leased since the original purpose of the property was for recreation. Borough Engineer Schrek stated that there are no restrictions on the property and the plans should not interfere with fishing or recreation. Mr. Foohey also stated that he agreed with Councilman Lobell that Bob Andreychak would have been the simplest and easiest decision for Recreation Director.

Bruce Doorly of 807 Bound Brook Avenue, Raritan, New Jersey thanked Council for the 501C donation to the Basilone Parade.

**EXECUTIVE SESSION**

Resolution No. 2014-08-125 - Executive Session - Subject Matter:  
Recreation Department Personnel, Environmental Commission  
Secretary, Police Employment Contract

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On motion by Councilwoman Gara, seconded by Council President Tozzi, it was moved to adopt Resolution 2014-08-125.

Recorded Vote on Resolution No. 2014-08-125

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Council took a brief recess at 8:42p.m. and convened in Executive Session at 8:50p.m.

On motion by Councilwoman Gara, seconded by Council President Tozzi, 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 9:10p.m.

Mayor Liptak announced that Council has made a decision on the Recreation Department and the Environmental Commission Secretary.

Councilwoman Gara made a motion to pay Ann Marie McCarthy the 2014 base salary for the Secretary of the Environmental Commission.

On motion by Councilwoman Gara, seconded by Council President Tozzi, it was moved to pay Ann Marie McCarthy the 2014 base salary for the Secretary of the Environmental Commission.

Recorded Vote on the above motion.

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Councilwoman Gara made a motion to appoint Albert Bartocci as Acting Recreation Director effective September 1, 2014 through December 31, 2014 at the base salary of \$14,843.00 pro-rated.

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On motion by Councilwoman Gara, seconded by Council President Tozzi, it was moved to appoint Albert Bartocci as Acting Recreation Director effective September 1, 2014 through December 31, 2014 at the base salary of \$14,843.00 pro-rated.

Recorded Vote on the above motion.

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Councilwoman Gara commented that Council discussed that Mr. Bartocci could appoint an Assistant Recreation Director until the end of the year.

Councilman Lobell stated that he thinks Mr. Bartocci should have an Assistant throughout the end of the year pro-rated the same as the acting Director. A brief discussion developed on potential candidates.

Councilman Sibilialia made a motion to appoint Chad Niles as Acting Assistant Recreation Director.

On motion by Councilman Sibilialia, seconded by Councilwoman Carra, it was moved to appoint Chad Niles as Acting Assistant Recreation Director at the current pro-rated salary effective until December 31, 2014.

Recorded Vote on the above motion.

Aye: Carra, Giraldi, Sibilialia, Tozzi

Nay: Gara, Lobell

Abstain: XXX

Motion Carried 4-2-0.

#### **ADJOURNMENT**

On motion by Councilwoman Gara, seconded by Council President Tozzi, it was moved to adjourn the meeting.

Recorded Vote: AYE: All Ayes

NAY: XXX

Abstain: XXX

Motion Carried 6-0.

Meeting adjourned at 9:15p.m.

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Respectively Submitted,

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Marguerite Schmitt, RMC  
Borough Clerk

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