

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 January 6, 2015. 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, Councilman Foohey,  
Councilwoman Gara, Councilman Giraldi,  
Councilman Sibilia

Absent: Council President Lobell

Also Present: Mayor Liptak, Borough Attorney Campbell, Borough  
Engineer McGregor (arrived at 7:02p.m.), Borough  
Administrator Jaxel, Police Lt. Nolte, Borough  
Clerk Schmitt

**INVOCATION AND FLAG SALUTE**

Councilwoman Carra led the invocation and flag salute.

**EXECUTIVE SESSION**

Resolution No. 2015-06-71 - Executive Session - Subject Matter:  
Contract Negotiations; Attorney-Client Privilege

On motion by Councilwoman Gara, seconded by Councilman Sibilia,  
it was moved to approve Resolution No. 2015-06-71.

Recorded Vote:

Aye: Carra, Foohey, Gara, Giraldi, Sibilia

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Council convened in Executive Session at 6:34p.m.

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

Recorded Vote:

Aye: Carra, Foohey, Gara, Giraldi, Sibilia

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Council came out of Executive Session at 6:53p.m. and resumed in open session at 7:00p.m.

**PUBLIC COMMENT**

Donald Tozzi of 38 Glaser Avenue, Raritan, New Jersey inquired about the correct way to handle an intimidating neighbor who plays music extremely loud. Mayor Liptak recommended that he make an anonymous call to the Police Department. Also, Mr. Tozzi announced that the Flag Day Event will be held on June 14<sup>th</sup> and stated that he hoped to see some participation from the Raritan Council.

**WORK SESSION**

1. Engineer's Report (SS)

Shelly McGregor, Borough Engineer, delivered the following Engineer's Report:

2015 CDBG Application

We have been awarded a grant in the amount of \$75,853 for rehabilitation of sanitary manholes within the CBDG area.

Orlando Drive, Phase 3

Design is complete. We are in discussions with the County with regard to the abandonment of their ROW where Orlando Drive crosses County parkland in the vicinity of Canal Street. This issue was never resolved when Orlando Drive was realigned back in the late '80s. The County Park is on the Green Acres inventory so a diversion must be approved before the County will discuss the ROW abandonment. We met with Green Acres on 4/9 to discuss alternatives and the municipal park, to the south of the Woolen Mill is the most likely compensation piece. The settled ratio will be 5/1 and this piece of land provides sufficient area. We have had subsequent meetings with the County, Green Acres and Duke Farms and are proceeding with necessary applications.

Victoria Street Sidewalks

On June 4, we received bids for this project. Of 4 bids received, CMS Construction is the lowest responsible bidder with a base bid of **\$122,649.00** which exceeds the Engineer's Estimate of \$111,000 and the available grant balance of \$91,272.00. Reference checks for this contractor are all positive. It is recommended that funds from this year's capital budget for miscellaneous road improvements be used to

supplement the grant. Reducing scope would leave gaps in the sidewalk network. This project would complete the work in the neighborhood.

Borough Administrator Jaxel advised Council that by supplementing the above project with funds from the Bond Ordinance currently introduced would use a good amount of the funds allotted to miscellaneous road improvements.

Councilwoman Gara inquired amount a status on Johnson Drive and how to address the potholes on this roadway. Borough Engineer McGregor stated that the Borough is still waiting on a response from the bonding company's contractor.

2. Weinberg Bill (ML)

Mayor Liptak stated that this topic was placed on the agenda because of the significance of videotaping council meetings in the proposed Weinberg Bill; however, due to current amendments, the provision governing filming will no longer apply. Councilman Foohey stated that he contacted Senator Weinberg's office today and was informed that filming of meetings has been removed from the Bill.

3. 2015 Borough Bonding - Elizabeth Ave. extension, 2006 Capital Appropriation (DJ)

Borough Administrator Jaxel informed Council that he has meet with the Auditor and CFO regarding bonding. The Auditor recommends that the Borough bond \$4,007,000.00 of its current obligations; however, the Auditor also recommended that the unfinished improvements to Elizabeth Avenue from 2006 in the amount of \$118,900 not be included in the bonding. Discussion ensued on this project. Council agreed to cancel the Elizabeth Avenue project and to proceed with the remainder of the bonding.

4. Frelinghuysen Park Pool (SG)

Councilwoman Gara reported that the Recreation Department is recommending that after removing the tree from the Frelinghuysen Park Pool that the fence be extended, stones laid and tables and chairs added to the area. In order to get this work done prior to the opening of the pool, the Department is requesting permission to the use funds from the special account and then replace those funds when the Bond Ordinance is adopted. After some discussion it was agreed to move ahead with this project as long as it would not interfere with the basketball courts.

5. Direct Install Program with Donnelly Energy (DJ)

Borough Administrator Jaxel reviewed the Direct Install Program proposed by Donnelly Energy and stated that this company has been approved by the County. Mr. Jaxel advised Council to review the payback period and the cost to the Borough. Mr. Jaxel added that this is not new lighting it is for improvements to existing exterior lighting. He also stated that the Historic Commission has not gotten back to him on the lighting funds for the Anderson Street Fire House and Library. Discussion ensued on the Borough supplementing the funds to upgrade the lighting to the North Thompson Street Fire House. Mr. Jaxel stated that he would discuss the issue with the Fire Chief.

6. Uber Taxis (ML)

Mayor Liptak stated that she has some concerns over the growing Uber taxis and the fact that background checks may not be performed on the drivers. Mayor Liptak stated that the Borough should be proactive and try to enact some controls over Uber taxis similar to the Borough's current regulations on regular taxis. Mayor Liptak also stated that the Borough should look into regulations regarding Air B&B's.

**ORDINANCES - FIRST READING**

Ordinance No. 2015-09 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Adding Chapter 260, Precious Metals, Gems, and Secondhand Goods, to the Code of the Borough of Raritan

On motion by Councilwoman Gara, seconded by Councilwoman Carra, it was moved to introduce Ordinance No. 2015-09.

Recorded Vote:

Aye: Carra, Foohey, Gara, Giraldi, Sibilia

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

Mayor Liptak announced that the ordinance listed above for first reading 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 14, 2015 at 7:00p.m. or at any time and place to which the meeting for the further consideration of the ordinance shall be adjourned.

**RESOLUTIONS**

Resolution No. 2015-05-72 - A Resolution of the Borough of Raritan, County of Somerset, State of New Jersey, Establishing Guidelines for the Broadcasting of Council Meetings by the Borough

On motion by Councilman Foohey, seconded by Councilwoman Gara, it was moved to approve Resolution No. 2015-05-72.

Recorded Vote:

Aye: Foohey, Gara  
Nay: Carra, Giraldi, Sibilialia  
Abstain: XXX

Motion Defeated 2-3.

**PURCHASE ORDERS**

1. Police Department - Leasing of 2 marked and 1 unmarked patrol vehicles - Ford Motor Credit in the amount of \$37,197.92.

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

Recorded Vote:

Aye: Carra, Foohey, Gara, Giraldi, Sibilialia  
Nay: XXX  
Abstain: XXX

Motion Carried 5-0.

2. Recreation - Repair and enlarge existing fence around Frelinghuysen Pool - York Fence Co. in the amount of \$4,385.00.

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

Recorded Vote:

Aye: Carra, Foohey, Gara, Giraldi  
Nay: Sibilialia  
Abstain: XXX

Motion Carried 4-1-0.

3. Fire Prevention - Emergency Lighting Package for Fire Prevention Vehicle - Emergency Services Systems in the amount of \$2,287.91.

On motion by Councilwoman Carra, seconded by Councilwoman Gara, it was moved to approve the above purchase.

Recorded Vote:

Aye: Carra, Foohey, Gara, Giraldi, Sibilialia

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

4. Police Department - Ammunition - Atlantic Tactical in the amount of \$3,106.80.

Mayor Liptak stated that the certification of funds was not attached at this time due to the absence of the CFO.

On motion by Councilwoman Gara, seconded by Councilman Foohey, it was moved to approve the above purchase pending a certification of funds.

Recorded Vote:

Aye: Carra, Foohey, Gara, Giraldi, Sibilialia

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

**CORRESPONDENCE**

Mayor Liptak stated that Somerset County would be holding a recycling event on Saturday June 20<sup>th</sup> at Washington School between 9:00a.m. and 1:00p.m.

**PUBLIC COMMENTS**

Donald Tozzi of 38 Glaser Avenue, Raritan, New Jersey thanked Council on behalf of himself and Kim Vannote for permitting the use of the barricades at the Basilone Foundation's Flag Day Event on June 14<sup>th</sup>.

Bruce Doorly of 807 Bound Brook Avenue, Raritan, New Jersey asked for clarification on whether the guidelines for videotaping of the Council Meetings was voted down or was the concept of videotaping the meetings voted down. Mayor Liptak clarified that it was the guidelines. Mr. Doorly inquired why Councilwoman Carra voted no when she was on the committee that

formulated the guidelines. Discussion ensued and Councilman Giraldi stated that Council never voted to approve the videotaping of the Council Meetings and stated that everything has been done backwards. Mr. Giraldi stated his objections to the camera remaining on during public comment. Mr. Doorly stated that the Borough Code permits videotaping by residents upon giving twenty-four hours' notice to the Borough Clerk.

Tracy Cavallaro of 1038 Old York Road, Raritan, New Jersey stated that Council has basically ignored the voice of the town. Ms. Cavallaro stated that while campaigning residents stated to her that they were in favor of videotaping Council Meetings. Councilman Giraldi stated that there is a process involved and Council hasn't followed that process.

There being no more public comments, Councilwoman Gara questioned why Councilman Giraldi objects to members of the public being taped when their name and address is stated in the minutes. Councilman Giraldi stated that no one reads the minutes; however, the camera identifies everyone. Ms. Gara stated that she respects the fact that rules should be established; however, she respectfully disagrees with Mr. Giraldi's reason. Councilman Foohey stated that it is required that the recordings remain unedited; therefore, the camera must remain on.

**ADJOURNMENT**

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

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

Motion Carried 5-0.

Meeting adjourned at 7:50p.m.

Respectively Submitted,

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Marguerite Schmitt, RMC  
Borough Clerk

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