

June 23, 2015
Regular Meeting

The Regular 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 Foohy,
Councilwoman Gara, Councilman Giraldi, Council
President Lobell, Councilman Sibilialia

Absent: XXX

Also Present: Mayor Liptak, Borough Attorney Wenner, Special
Counsel Bauch (departed 7:04p.m.), Borough
Administrator Jaxel, Borough Engineer McGregor
(arrived at 7:04p.m.), Police Chief McCormick
(arrived at 7:04p.m.), Borough Clerk Schmitt

FLAG SALUTE AND INVOCATION

Councilman Foohy led the invocation and flag salute.

EXECUTIVE SESSION

Resolution No. 2015-06-73 - Executive Session - Subject Matter:
Litigation

On motion by Councilman Lobell, seconded by Councilwoman Gara,
it was moved to approve Resolution No. 2015-06-73.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

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

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

Recorded Vote: AYE: All Ayes.

NAY: XXX

Abstain: XXX

Motion Carried 6-0.

Council came out of Executive Session and resumed in Regular Session at 7:05p.m.

PUBLIC COMMENTS

Donald Tozzi of 38 Glaser Avenue, Raritan, New Jersey thanked the Mayor and Council for use of the barricades during the Basilone Memorial Foundation event held last week. Mr. Tozzi also reminded everyone that the Basilone Bowl will be held on Thursday, June 23rd.

APPROVAL OF MINUTES

May 12, 2015 - Agenda-Workshop Meeting

On motion by Councilwoman Gara, seconded by Council President Lobell, it was moved to approve the May 12, 2015 - Agenda-Workshop Meeting minutes.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

May 12, 2015 - Executive Session

On motion by Council President Lobell, seconded by Councilwoman Gara, it was moved to approve the May 12, 2015 - Executive Session minutes.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

May 26, 2015 - Regular Meeting

On motion by Councilwoman Gara, seconded by Councilman Sibilialia, it was moved to approve the May 26, 2015 - Regular Meeting minutes.

Recorded Vote:

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

Motion Carried 6-0.

May 26, 2015 - Executive Session I

On motion by Councilwoman Carra, seconded by Councilwoman Gara, it was moved to approve the May 26, 2015 - Executive Session I minutes.

Recorded Vote:

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

Motion Carried 6-0.

May 26, 2015 - Executive Session II

On motion by Councilman Sibilialia, seconded by Councilman Foohey, it was moved to approve the May 26, 2015 - Executive Session II minutes.

Recorded Vote:

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

Motion Carried 6-0.

ORDINANCES - SECOND READING

Ordinance No. 2015-06 - Bond Ordinance Providing for Various Capital Improvements by the Borough of Raritan, Appropriating the Aggregate Amount of \$842,000 Therefor and Authorizing the Issuance of \$800,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof

Mayor Liptak called for a motion to open the Public Hearing on Ordinance No. 2015-06.

On motion by Councilwoman Carra, seconded by Council President Lobell, it was moved to open the Public Hearing on Ordinance No. 2015-06.

Recorded Vote:

Aye: Carra, Gara, Foohey, Giraldi, Lobell, Sibilialia
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 Lobell, it was moved to close the Public Hearing on Ordinance No. 2015-06.

Recorded Vote:

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

Motion Carried 6-0.

On motion by Councilwoman Carra, seconded by Councilwoman Gara, it was moved to adopt Ordinance No. 2015-06.

Recorded Vote:

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

Motion Carried 6-0.

Ordinance No. 2015-07 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Vacating a Portion of a Roadway Known as "Granetz Place"

Mayor Liptak called for a motion to open the Public Hearing on Ordinance No. 2015-07.

On motion by Council President Lobell, seconded by Councilman Foohey, it was moved to open the Public Hearing on Ordinance No. 2015-07.

Recorded Vote:

Aye: Carra, Gara, Foohey, Giraldi, Lobell, Sibilialia
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 Council President Lobell, seconded by Councilman Foohey, it was moved to close the Public Hearing on Ordinance No. 2015-07.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

On motion by Council President Lobell, seconded by Councilwoman Gara, it was moved to adopt Ordinance No. 2015-07.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Ordinance No. 2015-08 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Deleting, Amending and Supplementing Chapter 57, Recreation Committee, of the Code of the Borough of Raritan

Mayor Liptak called for a motion to open the Public Hearing on Ordinance No. 2015-08.

On motion by Councilwoman Carra, seconded by Councilman Foohey, it was moved to open the Public Hearing on Ordinance No. 2015-08.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

There being no comments, Mayor Liptak called for a motion to close the Public Hearing.

June 23, 2015
Regular Meeting

On motion by Council President Lobell, seconded by Councilman Foohey, it was moved to close the Public Hearing on Ordinance No. 2015-08.

Recorded Vote:

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

Motion Carried 6-0.

On motion by Council President Lobell, seconded by Councilwoman Gara, it was moved to adopt Ordinance No. 2015-08.

Recorded Vote:

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

Motion Carried 6-0.

ORDINANCES - FIRST READING

Ordinance No. 2015-10 - An Ordinance to Fix and Determine the Salaries, Wages or Compensation to be Paid to Certain Officers and Employees of the Borough of Raritan

On motion by Council President Lobell, seconded by Councilwoman Gara, it was moved to introduce Ordinance No. 2015-10.

Borough Attorney Wenner stated that the Federal minimum wage is \$7.25 per hour and the Ordinance should be revised to reflect such.

Recorded Vote:

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

Motion Carried 6-0.

Ordinance No. 2015-11 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Amending Chapter 128 of the Code of the Borough of Raritan Relating to Criminal Background Checks

On motion by Councilman Giraldi, seconded by Councilman Sibilialia, it was moved to introduce Ordinance No. 2015-11.

Council President Lobell stated that he did not agree with the provision that a volunteer should be required to absorb some of the costs related to the background investigation. Borough Attorney Wenner advised that this is a policy decision. Council was in consensus to remove this provision.

Borough Attorney Wenner stated that Section 128-2B will be revised to read that the Borough shall bear the costs associated with conducting the criminal history background check.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Mayor Liptak stated that the ordinances 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 28, 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. 2015-05-65 - A Resolution of the Borough of Raritan, County of Somerset, State of New Jersey, Authorizing Participation in New Jersey's Clean Energy Program "Direct Install" and Authorizing the Execution of a Project Agreement with Donnelly Energy

On motion by Councilman Sibilialia, seconded by Councilman Giraldi, it was moved to remove Resolution No. 2015-05-65 from the table.

Recorded Vote: All Ayes

Motion Carried 6-0.

On motion by Council President Lobell, seconded by Councilwoman Carra, it was moved to adopt Resolution No. 2015-05-65.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-06-74 - A Resolution of the Borough of Raritan, County of Somerset, State of New Jersey, Authorizing Participation in a Shared Services Agreement with Rutgers, The State University of New Jersey to Prepare a Statewide Fair Share Analysis of the Region's Affordable Housing Needs

On motion by Council President Lobell, seconded by Councilwoman Gara, it was moved to adopt Resolution No. 2015-06-74.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-06-75 - A Resolution of the Borough of Raritan, County of Somerset, State of New Jersey, Authorizing the Execution of a Maintenance and Idemnification Agreement By and Between the Borough of Raritan and the Regional Center Partnership of Somerset County Incorporated

On motion by Councilwoman Gara, seconded by Councilman Sibilialia, it was moved to adopt Resolution No. 2015-06-75.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-06-76 - Governing Body Certification of the Annual Report of Audit

On motion by Council President Lobell, seconded by Councilman Giraldi, it was moved to adopt Resolution No. 2015-06-76.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

June 23, 2015
Regular Meeting

Resolution No. 2015-06-77 - Approval of the 2014 Audit -
Corrective Action Plan

On motion by Councilwoman Carra, seconded by Councilwoman Gara,
it was moved to adopt Resolution No. 2015-06-77.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-06-78 - Chapter 159 - FY 2015 Clean
Communities Grant

On motion by Councilwoman Gara, seconded by Councilman Foohey,
it was moved to adopt Resolution No. 2015-06-78.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-06-79 - Department of Public Works -
Temporary Laborer

On motion by Council President Lobell, seconded by Councilman
Sibilialia, it was moved to adopt Resolution No. 2015-06-79.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-06-80 - Railroad Monthly Parking Refund

On motion by Councilwoman Gara, seconded by Council President
Lobell, it was moved to adopt Resolution No. 2015-06-80.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-06-81 - 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 Council President Lobell, it was moved to adopt Resolution No. 2015-06-81.

Recorded Vote:

Aye: Carra, Gara, Foohey, Lobell

Nay: Giraldi, Sibilia

Abstain: XXX

Councilman Giraldi stated that he disagrees with item number 4.

Motion Carried 4-2.

APPROVAL OF BILLS LIST

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

On motion by Councilwoman Gara, seconded by Councilman Foohey, it was moved to approve the Bills List for the period May 26, 2015 through June 19, 2015 in the amount of \$2,810,349.37.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

PURCHASE ORDER REQUESTS

1. Police Department - Annual Maintenance Fee for CAD & RMS Software - Queues Enforth Development, Inc. in the amount of \$3,066.00.

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

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

2. Police Department - Service Agreement for Avaya Telephone System - Mid Atlantic Telephone in the amount of \$2,985.00.

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

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

3. Administration - 2015 NJLM Annual Conference (room reservations) - Caesars Atlantic City in the amount of \$1,600.00.

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

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

COMMITTEE AND LIAISON REPORTS

Council President Lobell reported that Public Works is continuing with garbage and bulk trash pick-up and he thanked Ronnie Johnson, who recently retired, for his years of dedicated service. Mr. Lobell also read a letter from Bob Andreychak, Recreation Director stating that a great job was done getting the pools ready and he thanked Public Works, Al Bartocci and Kevin Stanchi for getting things in order. Mr. Lobell mentioned that this is the first time in years that the pools opened on time.

Councilwoman Carra reported that the Board of Health has been working on updating the fee schedule Ordinance and has turned over a draft to the Borough Attorney for review. Ms. Carra gave the Court report and stated that she volunteered at the Basilone Race and it was a great event.

Councilwoman Gara delivered the Police report which included the overtime report and stated that the Raritan Senior Citizens will hold their in-house picnic on August 12th.

Councilman Giraldi reported that he missed the last Historic and Cultural Committee meeting because he was on vacation and reported that the Historic Walk was a success. Mr. Giraldi also stated that the Basilone meeting is tonight and he is not able to attend.

Councilman Foohey stated that he did not have anything to report on the Environmental Commission and that there were 712 graduates from Bridgewater-Raritan High School.

Councilman Sibiliala stated that he did not have anything to report regarding litigation and the Regional Center Partnership did not meet this month.

Mayor Liptak read a statement from the New Jersey League of Municipalities regarding proposed legislation regarding revisions to OPRA & OPMA in which it stated that the bills did not have the votes to advance at this time.

Mayor Liptak also reported that she was invited to attend the Somerville Elks Flag Day Ceremony and that the Raritan Public Library still has commemorative pavers available for purchase.

Mayor Liptak acknowledged the passing of a good friend and Raritan business owner, Alan (Allie) DeLucia. She also wished everyone a happy and safe 4th of July Holiday.

OLD BUSINESS

1. Televising of Council Meetings (JF)

Councilman Foohey stated that he had a few items that require Council consent:

On motion by Councilman Foohey, seconded by Council President Lobell, it was moved to begin recording and broadcasting of Borough Council Meetings on July 14th.

Recorded Vote:

Aye: Gara, Foohey, Lobell

Nay: Carra, Giraldi, Sibiliala

Abstain: XXX

The roll call vote resulted in a tie. Mayor Liptak cast an Aye vote to break the tie.

Motion Carried 4-3.

On motion by Councilman Foohey, seconded by Councilwoman Gara, it was moved to authorize the release of a letter to Verizon to proceed with the installation of a cable connection.

Recorded Vote:

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

The roll call vote resulted in a tie. Mayor Liptak cast an Aye vote to break the tie.

Motion Carried 4-3.

Councilman Foohey requested Council's approval to compensate the students from Bridgewater-Raritan High School Audio Visual Club at the rate of \$12.50 per hour or at a minimum of \$25 per meeting to assist with the taping of the Council Meetings.

Discussion ensued on the legality of contracting privileges with persons not of the age of majority. Borough Attorney Wenner stated that he would research the law on this issue.

On motion by Council President Lobell, seconded by Councilman Foohey, it was moved to compensate the students at the rate of \$12.50 per hour or \$25 per meeting minimum contingent upon working out the legal contracting provisions.

Recorded Vote:

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

The roll call vote resulted in a tie. Mayor Liptak cast an Aye vote to break the tie.

Motion Carried 4-3.

NEW BUSINESS

1. Property Maintenance Cell Phone Reimbursement (DJ)

Borough Administrator Jaxel informed Council that the Property Maintenance Inspector has requested to use his person cell phone for Borough business and therefore would cancel his Borough issued phone. Council was agreeable to a \$25 reimbursement.

2. St. Ann's Festa Road Closures (KM)

Mayor Liptak reviewed a letter from St. Ann's Church, received in the Police Department on May 16, 2015, requesting permission to close roadways during the annual Festa. Council agreed to the request.

Councilwoman Carra inquired about the new street signs that Council approved for purchase. Borough Administrator Jaxel stated that they have been received and will be put up soon.

Councilwoman Gara inquired about the broken speed sign on Woodmere Street. Borough Administrator Jaxel stated that he is trying to work with the County on a solution. Borough Engineer Schrek stated that it never worked from the start and it shouldn't be the Borough's responsibility.

PUBLIC COMMENTS

Adele Goetsch of 6 Nevius Street, Raritan, New Jersey commented on the Frelinghuysen Pool. Ms. Goetsch stated that everything looks very nice except that the stones are not a great idea since you need to put footwear on to walk on them.

Ms. Goetsch also commented on the house on LaGrange Street with the blue tarp. Mayor Liptak explained the situation with this property. Discussion ensued on the property condition and what remedies could be instituted. Borough Attorney Wenner reviewed legal recourse and the legal process. Discuss ensued on this topic.

Ms. Goetsch inquired about the River Fest and whether it will be held this year. Mayor Liptak stated that an inquiry has been made with the Moose Lodge about utilizing there gaming license for the Duck Race and she is not sure if the River Fest will be held this year.

Ms. Goetsch also inquired about the camera in use in the room. Bruce Doorly, who was operating the camera, responded that this is a test and he will be posting slices of the video on his website, Raritan on-line. He also stated that the entire video will be available on YouTube. Ms. Goetsch asked if anyone is permitted to video tape. Mayor Liptak responded yes, as long as they provide 24 hour notice to the Borough Clerk.

Donald Tozzi of 38 Glaser Avenue, Raritan, New Jersey commented on the amount of funds raised at previous River Fest events chaired by him and stated that he asked several times to handle this year's River Fest.

June 23, 2015
Regular Meeting

ADJOURNMENT

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

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

Motion Carried 6-0.

Meeting adjourned at 8:02p.m.

Respectively Submitted,

Marguerite Schmitt, RMC
Borough Clerk

Approved: _____