

December 15, 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 Cohen, Borough
Administrator Jaxel, Borough Engineer McGregor
(arrived at 7:00p.m.), Police Chief McCormick
(arrived at 7:00p.m.), Borough Clerk Schmitt

FLAG SALUTE AND INVOCATION

Councilwoman Foohy led the invocation and flag salute.

EXECUTIVE SESSION

Resolution No. 2015-12-122 - Executive Session - Subject Matter:
Police Personnel; COAH Litigation Update

On motion by Council President Lobell, seconded by Councilwoman Gara, it was moved to approve Resolution No. 2015-12-122.

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 Councilman Sibilialia, seconded by Councilman Foohy, it was moved to come out of Executive Session.

Recorded Vote:

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

Nay: XXX
Abstain: XXX

Motion Carried 6-0.

Council came out of Executive Session at 6:57p.m. and resumed in Regular Session at 7:00p.m.

RESOLUTION & OATH OF OFFICE

Resolution No. 2015-12-123 - Appointment of Probationary Patrol Officer

On motion by Councilwoman Gara, seconded by Council President Lobell, it was moved to adopt Resolution No. 2015-12-123.

Recorded Vote:

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

Motion Carried 6-0.

Mayor Liptak administered the oath of office to Patrolman Robert Sinopoli and congratulated the new officer. The Bridgewater-Raritan Cheerleaders gave a cheer of encouragement.

RECOGNITION OF BRIDGEWATER-RARITAN CHEERLEADERS

Mayor Liptak stated that she was happy and honored to have everyone here tonight. Mayor Liptak congratulated the Junior Pee Wee Cheerleaders for taking 1st Place in the National Championship and Midget Cheerleaders for taking 2nd Place in the National Championship. Mayor Liptak presented each cheerleader with a certificate of recognition and congratulated all on a job well done. Each team performed a cheer for those in attendance.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

November 10, 2015 - Agenda-Workshop Meeting

On motion by Council President Lobell, seconded by Councilwoman Gara, it was moved to approve the November 10, 2015 - Agenda-Workshop Meeting.

Recorded Vote:

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

Motion Carried 6-0.

November 24, 2015 - Executive Session

On motion by Councilwoman Carra, seconded by Councilwoman Gara, it was moved to approve the November 24, 2015 - Executive Session minutes.

Recorded Vote:

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

Motion Carried 5-0-1.

November 24, 2015 - Regular Meeting

On motion by Councilwoman Gara, seconded by Council President Lobell, it was moved to approve the November 24, 2015 - Regular Meeting minutes.

Recorded Vote:

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

Motion Carried 5-0-1.

WORK SESSION

1. Engineer's Report (SM)

Borough Engineer McGregor delivered the following report:

Orlando Drive, Phase 3

We are continuing to work with Green Acres to resolve the necessary diversion associated with the Orlando Drive ROW encroachment onto County and private lands. Green Acres has responded to the minutes of the scoping hearing. We are coordinating our response with Somerset County Parks and Green Acres.

I would like to present the design drawings, for Phase 3, to the Mayor and Council at the next meeting.

Stonebridge at Raritan

We are working with the developer on final punch list items and required documentation to recommend a final performance bond release. One outstanding item is the easement from NJ Transit required to complete the pedestrian access route from the site, along Tillman Street, 1st Ave, 3rd Street, 2nd Ave and into the NJ Transit parking lot. If the route is not completed at the time of bond release, the Settlement Agreement permits the placement of a secondary bond to secure completion.

Raritan Library

We are coordinating with PSE&G regarding power requirements and expect their load requirements and approval by week's end. The new panel design can be finalized at that time. Getting a response from PSE&G has been problematic. The Library has been kept informed.

Firehouse Generator

Contract submittals have been approved and the generator has been ordered. The pad will be poured shortly followed by exterior wiring.

2. **Borough Calendar (JF)**

Councilman Foohey requested that Council clarify what they expect for the Borough calendar. Councilwoman Carra requested that this item be held over until the new year.

3. **Solicitor's Permits (MS)**

Borough Clerk Schmitt requested approval of the solicitor's permits presented in Councils' agenda packet.

On motion by Council President Lobell, seconded by Councilman Sibilia, it was moved to approve the solicitor's permits submitted.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

4. **2016 Reorganization Date (DJ)**

Borough Administrator Jaxel requested clarification on a date for the 2016 Reorganization Meeting. There was consensus of Council to confirm January 3, 2016 at 12:00 noon.

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On motion by Councilwoman Gara, seconded by Council President Lobell, it was moved to approve a payment of \$62.00 to Pizza Brothers.

Recorded Vote: All Ayes

RESOLUTIONS

Resolution No. 2015-12-124 - Appointment of Risk Management Consultant

On motion by Councilwoman Gara, seconded by Council President Lobell, it was moved to adopt Resolution No. 2015-12-124.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-12-125 - Resolution Supporting the State House Commission Pre-Application to the NJDEP Green Acres Program for Diversion of Block 114 Lot 1 and Block 115 Lot 1 in the Borough of Raritan, Somerset County, New Jersey

On motion by Council President Lobell, seconded by Councilman Foohey, it was moved to adopt Resolution No. 2015-12-125.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-12-126 - Resolution Authorizing the Borough of Raritan to Enter into a Recycling Agreement with the Somerset County Board of Chosen Freeholders for 2016 Residential Recycling Services

On motion by Councilwoman Gara, seconded by Councilman Sibilialia, it was moved to adopt Resolution No. 2015-12-126.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-12-127 - A Resolution of the Borough of Raritan, County of Somerset, State of New Jersey, Authorizing the Execution of Subordination Agreement for 32 Bluebird Way in the Borough of Raritan

On motion by Councilwoman Carra, seconded by Councilwoman Gara, it was moved to adopt Resolution No. 2015-12-127.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-12-128 - Award of Concrete for Concrete Ramp Repair and Replacement of the Railing System for the Raritan Public Library

On motion by Council President Lobell, seconded by Councilwoman Gara, it was moved to adopt Resolution No. 2015-12-128.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-12-129 - Chapter 159 - FY 2015 Click-It/Ticket Grant

On motion by Councilwoman Gara, seconded by Councilwoman Carra, it was moved to adopt Resolution No. 2015-12-129.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-12-130 - Chapter 159 - FY 2015 Distracted
Driving Grant

On motion by Councilwoman Gara, seconded by Councilwoman Carra,
it was moved to adopt Resolution No. 2015-12-130.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-12-131 - Taxicab Vehicle/Taxicab Driver
License

On motion by Council President Lobell, seconded by Councilwoman
Gara, it was moved to adopt Resolution No. 2015-12-131.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2015-12-132 - Renewal of 2013-2014, 2014-2015,
2015-2016 Plenary Retail Consumption Licenses for Some Place
Else Inc.

On motion by Council President Lobell, seconded by Councilman
Sibilialia, it was moved to adopt Resolution No. 2015-12-132.

Recorded Vote:

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

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 Carra, seconded by Councilwoman Gara,
it was moved to approve the Bills List for the period of

November 23, 2015 through December 11, 2015 in the amount of \$1,832,273.39.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

PURCHASE ORDER REQUESTS

1. Fire Department - Repairs to Tower Ladder 52 - Emergency Equipment Sales in the amount of \$5,819.66.

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

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

2. Fire Department - Annual Respirator Fit Testing - Examinetics in the amount of \$1,760.00.

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

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

COMMITTEE AND LIAISON REPORTS

Council President Lobell delivered the Department of Public Works monthly report and thanked the Department for all their efforts over the years. Mr. Lobell also gave a special thank you to the Public Works Department from the Recreation Department for a great summer. Mr. Lobell gave a summary of the work performed by the Recreation Department during the past year and stated that Santa came to Raritan last week. Mr. Lobell reported that the Economic Development Committee held a meet and

greet and may have gained two additional members. The committee also discussed compiling a Borough Business Directory to try to get residents to shop here in Raritan.

Mr. Lobell continued that this would be his last meeting and he thanked all the residents for the honor and privilege to serve Raritan Borough. Mr. Lobell said goodbye and thanked all the Administrative personnel for their support. He also thanked the Police Department and Fire Department for doing a fantastic job protecting the town; both departments along with the Public Works Department have a great group of guys. He also thanked the Borough professionals and stated that it has been an honor to serve with Mayor Liptak and Councilwoman Gara over the past six years.

Councilwoman Carra delivered the Board of Health report and announced that a revised fees Ordinance was introduced at the last meeting and adoption is scheduled for the January 13, 2016 meeting. Mrs. Carra stated that the Board of Health will hold its annual Rabies Clinic on January 16, 2016 from 10a.m. to 12p.m. at the North Thompson Street Fire House. The Board of Health is also looking into whether to continue with the Flu Clinic due to declining numbers. Mrs. Carra delivered the Fire Department Report and announced that the members of the Fire Department conducted their 1st annual candy cane delivery to residents; 1200 candy canes were designated for this event. Also, the Fire Department will be purchasing a new fire truck under state contract. Mrs. Cara delivered the Court report and wished everyone a Merry Christmas and Happy New Year.

Councilwoman Gara delivered the following departing statement:

It has been a sincere honor to have served my community. I sincerely thank you for all the trust and support you have given me over the last six years. We have dealt with so many challenges from Cap laws implanted by Trenton, failed school budgets, hurricanes, unprecedented snow storms, major power outages, fires, flooding and yet we have always pulled together "Raritan Strong".

Looking back I am extremely proud that I fulfilled the promises I made to the residents of this community. In 2010 we promised to: amend the Housing Ordinance, which ordinance was fully amended in November 2010; we refurbished and revitalize the Dog Park which was opened for business in April, 2011.

Over the last 6 years I am very proud of the work that we've accomplished towards our Riverfront Corridor. We knew we had an area that was a potential diamond in the rough to this community. We had a vision of what this area could be and soon realized to accomplish this vision it was not going to be a six month venture. It was going to be

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a long term commitment that required many hours of meetings, planning, discussions and cutting through the proverbial red tape.

We had many meetings with our Planning Board, Environmental Commission and the County as well. We also knew along the way we would meet a host of criticism, brick walls, and nay sayers that would refer to our genuine efforts as pie in the sky. We knew the first thing we needed to do was clean up Canal Park and thanks to the efforts of Councilman Lobell and the hard work of our Public Works Department the entire park was cleared and opened for everyone to enjoy this was step one in drawing attention to the area.

In 2012 we set our sights on a new community event with the Economic Development Committee and held our first River Fest event to help draw attention to this area on a much larger scale. With the help of Steeplechase Cancer, former Councilman Donald Tozzi, the Raritan Volunteer Fire Department, EDC Members and countless volunteers the first Raritan River Fest and Rubber Duck Race was formed. This venture alone was a huge commitment in time and effort between coordinating the event, gathering vendors and numerous hours spent selling the famous rubber duck tickets. Our first year the event was a huge hit drawing close to six thousand people to our Community.

Following that event Councilman Lobell and I hosted the Raritan Borough Riverfront Summit in the Coach Barn at Duke Farms. We had not known it at the time but an investor that attended our summit realized the vision our beautiful riverfront had to offer and not only has purchased the properties on Orlando Drive but has already received approval from the Land Use Board and Somerset County and is now in the process of moving forward with the transformation we envisioned. It is my hopes upon my retirement from Council that the remaining Council as well the Council elect and Mayor elect not only study the framework that has been already laid out for them but study and actively pursue the Boroughs Master Plan that we have spent thousands of dollars and countless hours working on to help move this community forward.

I leave this Council meeting tonight with my head held high, no regrets and satisfaction that I not only talked the talk I indeed walked the walk. It was more work to be an accountable representative than I had ever imagined, the time away from my family alone was very hard. However, I made promises and my integrity would not allow me to be one of those candidates that promise you the world and not fulfill the campaign promises they make. It was difficult but I refused to allow the workload and criticisms stop me. Six years ago I ask you to join me as I journey through Raritan well tonight Mayor Liptak, Council, Chief McCormick, Professionals and Residents I thank you all for being part of my journey.

Dan, Maggie, Lisa, Karen, Connie, Linda, Annie, and Annie and the entire administrative staff thank you so much for all your hard work. Thank you for helping me over the years. I will truly miss working with each and every one of you. Chief McCormick thank you for your dedication to Raritan. It has been an honor working with you and your department over the years. We are very fortunate to have someone with your knowledge and skills in charge. Greg, what a ride. I can't help but laugh because you are my political partner in crime. You have

been there by my side helping me every step of the way. Thank you for everything!

I have truly enjoyed serving our community, thank you all again. I wish everyone a very Merry Christmas and a safe, healthy and Happy New Year.

Councilman Giraldi reported that there are no more Basilone Committee meetings for the year and the Historic and Cultural Committee meets tomorrow.

Councilman Foohey reported that the Environmental Commission did not meet and the Board of Education is conducting second interviews for superintendent. Mr. Foohey also announced that even though the High School football team did not win the State championship they have a lot to be proud of and they did a tremendous job. Mr. Foohey stated that saying good-bye to three governing body members at the same time is new to him and he directed his comments to all three. Mr. Foohey stated that all three members have gone above and beyond the minimum required. He thanked them for their service and stated that he respects the number of years they have put into service to the town.

Councilman Sibiliala stated that he had nothing to report regarding Litigation and wished everyone a great holiday.

Mayor Liptak delivered the following departing statement:

Over the past nine years I've attended roughly 300 meetings including regular council meetings, special council meeting for the budget, MLUB meetings and other meetings outside of the borough and this is my very last one sitting in this seat in the center of the dais. Many events have occurred between that first council meeting in November 2006 and today.

While preparing to write this I went back through campaign literature and found the flier that we used during my very first campaign in 2006. These are the bullet points that were the basis of my campaign:

- Improving shared services with surrounding communities
- Establishing a more comprehensive and tougher policy concerning absentee landlords and overcrowded apartments
- Strengthening the property code maintenance ordinance
- Posting the minutes of borough council meeting on the website
- Mailing a printed newsletter to every home twice a year
- Improving the town website
- Returning the Basilone Museum to the library

- Establishing office hours for the mayor.

Every one of these has been accomplished and much more.

- When I came into office one of the first phone calls that I received was from a major pharmaceutical corporation here in town. They had a seven year tax appeal that was ignored by at least 2 possibly 3 administrations. When they saw that we were willing to sit down with them and negotiate this tax appeal was settled with a win-win for both parties saving tax dollars in a threatened suit.
- Also in December of 2006 Premier Homes began talks for an age restricted housing development at the site of the former Tokyo Boeki site. However, the bottom of the age restricted market had tanked and they wanted to come in with new plans for fair market value apartments. The Planning Board voted to keep the site as age restricted and the developer sued. With skillful negotiations we were able to come to an agreement that benefitted both Premier Homes and the Borough and now we have a top notch ratable on Route 202 north which includes the only apartment building in this area designed specifically for disabled veterans.
- We began the Nicholas Esposito Volunteer of the Year Award and recognized all our volunteers at an annual volunteer dinner reception. Our volunteers save the borough thousands of dollars each year in salaries.
- Established the Cultural and Historic Committee to preserve and protect our historic artifacts and colorful history.
- Froze municipal salaries for two years thus keeping the tax rate low.
- When we learned of possible improprieties within the police department we alerted the SCPO and cooperated with them in a complete overhaul of our PD resulting in the dismissal of one lieutenant and the chief and reprimands to one officer.
- We re-codified our municipal code book getting rid of archaic and unenforceable ordinances and placed the municipal code book on our borough website now being facilitated by a professional company and not the responsibility of a councilperson.
- Quarterly Department Head meeting were held to learn what was going on and what was needed to continue the progress.
- Lunch with the Mayor was begun at Borough Hall on the first Saturday of the Month. This gave constituents the opportunity to sit and chat informally with me about concerns they had.

- A Gang Awareness task force was formed consisting of educators, police, and the prosecutor's office. The task force hosted a meeting for parents facilitated by Sgt. Walsh from the SCPO about possible gang activity in town and it was so popular that we had to turn people away from the first meeting and hold a second meeting for the overflow crowd.
- Graduate students from the Bloustein School of Public Planning and Policy at Rutgers University did a waterfront study that resulted in us receiving the Sustainable Raritan award.
- A groundbreaking council meeting was held at Duke Farms on the riverfront development. It was attended by many individuals interested in the River and our waterfront.
- In 2013 we were ranked by NJ Monthly as the 98th out of 100 best towns in NJ.
- In 2015 we rose to 37th best town in which to live in NJ. We outranked Bridgewater, Hillsborough and Somerville was not even mentioned.
- I must comment of the "Gannett Suit" since I have been demonized as the cause of this suit. Nothing could be further from the truth. The Gannett-owned Courier News filed suit in 2009 after Raritan sought to charge a fee of \$1000 to provide the borough public payroll records in an electronic spreadsheet-type format. The borough never denied the newspaper access to the information, but wanted to charge a fee to provide the documents in the specific formats requested by the newspaper. Gannett refused to pay the costs; refused mediation to solve the difficulty and eventually sued the borough.

On a personal note as Mayor:

- I have served on the NJLOM Executive Board as the Somerset County Representative for the past 4 years and well as the General Legislative Sub-committee.
- Was the 2009 Distinguished Honoree from the Somerset County Commission on the Status of Women.
- Was the recipient of the 2011 Millicent Fenwick Award for Distinguish Public Service from the Somerset County Federation of Republican Women.
- Was awarded the 2013 Peter J. Biondi Award from the Resource Center of Somerset for my work with the prevention of domestic violence.

Now, on a personal note to the Mayor-elect and council people-elect... some insights I've gained these past nine years:

- You have no friends...everyone regardless of their relationship to you is treated equally.
- You were the lesser of two evil in the election process.
- Put your personal agendas aside and work for the good of the community because if you cannot do that you won't be sitting here very long. The people of Raritan are very astute and they can spot a phony a long way off.
- Do what you know to be the right this not what someone else tells you to do because they will be the first one to desert you when things get rough.
- Do your homework...come to meeting prepared.
- Respect the sanctity of the executive session. As they said "what happens in Vegas stays in Vegas" and the same is true for executive sessions.
- Never forget that you work for the people and not the other way around.

I would like to thank all of the administrative staff for their service and commitment to the borough. I wish Councilwoman Gara and Councilman Lobell well also. To my husband Victor, whom I would not have met if it had not been for my being the mayor, I love you and appreciate your unswerving support these past four years. It takes a special man to be married to a mayor and tolerate all the meetings and missed dinners.

Finally, in the words of Supreme Court Justice Louis Brandeis "the most important political office is that of the private citizen" and it will be my pleasure to resume the role of private citizen and to sit on the other side of the dais at future meetings.

Thank you and good bye. Merry Christmas to all.

OLD BUSINESS

Council President Lobell requested an update on the street light pole at Somerset and Anderson Streets. Borough Engineer McGregor asked for specifics.

NEW BUSINESS

Councilman Sibilila asked why a Nixel message was not sent out with regard to the incident that occurred last Friday. Chief McCormick responded that the Police Department just did not have the man power to send someone back to the station to send the message.

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PUBLIC COMMENTS

Donald Tozzi of 38 Glaser Avenue, Raritan, New Jersey wished everyone a Merry Christmas and made two quick notes. He stated that \$4,200 remains in the Borough calendar fund and also the Basilone Memorial Foundation is sponsoring a John Basilone Baseball Game at Patriots Stadium on September 11th. The event will include the distribution of bobble head dolls and will be a gigantic event to keep the John Basilone spirit alive.

Anthony DeCicco of 10 Anderson Street, Raritan, New Jersey thanked everyone for their service and stated he wished to make a few comments. Mr. DeCicco commented on the service and some incidents that occurred during the tenure of Councilwoman Gara, Council President Lobell and Mayor Liptak.

Bruce Doorly of 807 Bound Brook Avenue, Raritan, New Jersey thanked everyone for their service and commented that it was 99% good and we should emphasize the good.

ADJOURNMENT

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

Recorded Vote: All Ayes

Motion Carried 6-0.

Meeting adjourned at 8:20p.m.

Respectively Submitted,

Marguerite Schmitt, RMC
Borough Clerk

Approved: _____