

February 23, 2016
Regular Meeting

The Regular Meeting of the Raritan Borough Council was called to order by Mayor McMullin 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 McMullin 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 28, 2016. 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: Councilman Bray, Council President Carra,
Councilwoman Danyluk, Councilman Foohey,
Councilman Giraldi, Councilman Sibilialia
Absent: XXX
Also Present: Mayor McMullin, Borough Attorney Wenner,
Borough Administrator Jaxel, Police Chief
McCormick, Borough Engineer Schrek (arrived at
7:00p.m.), Borough Clerk Schmitt

INVOCATION AND FLAG SALUTE

Councilman Foohey led the invocation and flag salute and requested a moment of silence for a former member of the Raritan Rescue Squad, Richard Greshman who passed away recently.

EXECUTIVE SESSION

Resolution No. 2016-02-44 - Executive Session - Subject Matter:
Uniform Police Promotion Procedure; Lease Agreement; Personnel;
Attorney/Client Privilege; Gannet Litigation

On motion by Council President Carra, seconded by Councilman Sibilialia, it was moved to approve Resolution No. 2016-02-44.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilialia
Nay: XXX
Abstain: XXX

Motion Carried 6-0.

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

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

Recorded Vote: All Ayes

Motion Carried 6-0.

Council came out of Executive Session at 7:10p.m. and resumed in Regular Session at 7:14p.m.

Mayor McMullin gave a brief explanation of a discussion in Executive Session and the following motion was entered into record:

On motion by Councilman Sibiliala, seconded by Councilman Giraldi, it was moved to authorize an addendum to the current Golf Course Lease to change the payment due dates.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibiliala

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

PUBLIC COMMENT

John Roglieri of 341 Vones Lane, Raritan, New Jersey stated that he owns a home at 3 Third Street, Raritan, New Jersey which is part of the proposed Redevelopment project. Mr. Roglieri stated that he is not happy about the proposed condemnation. He never intended to sell that property and his intention was to eventually live there when he retires. Mayor McMullin informed Mr. Roglieri with regard to the required process. Borough Attorney Wenner stated that all hearings are public and Mr. Roglieri would have the opportunity to be heard.

Mike Roglieri of 301 Victoria Street, Raritan, New Jersey briefed Council on the conversation he had when originally approached by the proposed developer.

GREEN ACRES SCOPING HEARING

Block 114, Lot 1 and Block 115, Lot 1 on Orlando Drive

Mayor McMullin opened the Green Acres Scoping Hearing on Block 114, Lot 1 and Block 115, Lot 1 on Orlando Drive.

Borough Engineer Stanley J. Schrek, PE, AIA, PP, CME, LEED AP announced that Tom Boccino PP, LLA, Principal Planner from the Somerset County Park Commission was also in attendance. Mr. Schrek stated that a hearing was held last year for this same purpose, however, a second hearing was required because proper

notification was not sent to the surrounding property owners. Mr. Schrek reviewed the property in question and the alignment of the property encumbered under the Green Acres program. Mr. Schrek reviewed the section of the property to be diverted and stated that the purpose is to remove the Green Acres encumbrance so as to create an appropriate right-of-way for the existing portion of Orlando Drive. Mr. Schrek stated that this particular property would still remain as public domain.

Mr. Boccino added the Green Acres requirements for compensation and noted that no encumbrances can be on the property so that is why this particular property was chosen. Mr. Boccino also noted that public comment would remain open for an additional two weeks after this hearing. In addition, after the pre-application is approved by Green Acres a final application would be required along with an additional comment period.

Mr. Schrek asked if there were any questions from the public. Seeing there were none, Mayor McMullin called for a motion to close the public hearing.

On motion by Councilman Foohey, seconded by Councilman Sibilias, it was moved to close the Green Acres Scoping Hearing.

Recorded Vote: All Ayes

Motion Carried 6-0.

HEARING TO DETERMINE FITNESS OF BULDINGS

Block 40, Lot 1 - 523-531 Route 202/104 Second Avenue

Borough Attorney Wenner briefed Council on the habitability complaint filed against said property and in attendance tonight is Lou Gara, Construction Official and the property owner. Mr. Wenner swore in Mr. Gara and he gave his opinion on the condition of the building. Mr. Gara stating that in his opinion it was an unsafe structure and should be demolished.

Borough Attorney Wenner swore in the property owner, Sukhvinder Dabb who gave his testimony with regard to the property and his plans to eventually demolish.

Discussion ensued and the following Resolution was added:

Resolution No. 2016-02-51 - A Resolution of the Borough of Raritan, County of Somerset, State of New Jersey Setting Forth an Order of Demolition for 523-531 Route 202/104 Second Avenue,

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Block 40, Lot 1, Located Within the Borough of Raritan, County of Somerset, State of New Jersey

On motion by Councilman Giraldi, seconded by Council President Carra, it was moved to approve Resolution No. 2016-02-51.

Recorded Vote:

Aye: Carra, Bray, Danyluk, Foohey, Giraldi, Sibilialia

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

APPROVAL OF MINUTES

January 26, 2016 - Executive Session

January 26, 2016 - Regular Meeting

On motion by Council President Carra, seconded by Councilwoman Danyluk, it was moved to approve the minutes of the January 26, 2016 - Executive Session and the January 26, 2016 - Regular Meeting.

Recorded Vote:

Aye: Carra, Bray, Danyluk, Foohey, Giraldi, Sibilialia

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

WORK SESSION

1. Unfit Buildings - Block 35 Lot 5.01, 401 Tillman Street (RW)

Borough Attorney Wenner read into record a memo from Lou Gara, Construction Official, dated February 19, 2016 regarding the building at 401 Tillman Street. Mr. Wenner advised that if Council desires they can move forward with the filing of a habitability hearing. The following Resolution was added:

Resolution No. 2016-02-52 - A Resolution Authorizing the Borough Attorney to Proceed With Public Hearing Notification Relative to Chapter 113 of the Code of the Borough of Raritan, Unfit Buildings

On motion by Councilman Sibilialia, seconded by Council President Carra, it was moved to approve Resolution No. 2016-02-52.

Recorded Vote:

Aye: Carra, Bray, Danyluk, Foohey, Giraldi, Sibilialia

Nay: XXX

Abstain: XX

Motion Carried 6-0.

2. Washington School Building and Property (DJ)
Borough Administrator Jaxel updated Council on Somerset County's offer of Washington School and reviewed the Borough's options. Mayor McMullin suggested that a sub-committee tour the building and report their findings at the next meeting.
3. Raritan Headwaters' 26th Annual Steam Cleanup (DJ)
Borough Administrator Jaxel stated that although the Council has already approved the event, a clean-up project is being requested. It was determined that Stan Schrek, Borough Engineer and Mr. Jaxel will reach out to the organization and determine a site.
4. Regional Center Partnership - Designee for Proposal Evaluation Team (CM)
Mayor McMullin appointed Councilman Bray to be the designee for the Regional Center Partnership Proposal Evaluation Team and requested the Borough Administrator Jaxel send a letter of confirmation.
5. 2016 Somerset County Community Development Application (DJ)
Borough Administrator Jaxel informed Council that the application deadline for 2016 Community Development Grant is March 18th. Borough Engineer Schrek stated that the Borough received funding last year for manhole repairs and he would like to continue with the same project. Mr. Schrek stated that he would prepare the application and the date of this discussion will be noted in the application.
6. Snow Removal at the Raritan Library (CM)
Mayor McMullin stated that this topic will be discussed under Liaison Reports.
7. Lighting at Basilone Statue (JF)
Councilman Foohey reported that the lighting at the Basilone Statue is currently insufficient and PSE&G suggested that a pole be placed at the bend with two lights, this would incur a slight increase in the monthly cost.

On motion by Councilman Foohey, seconded by Councilman Giraldi, it was moved to approve the installation of a double light at the Basilone Statue.

Recorded Vote:

Aye: Carra, Bray, Danyluk, Foohey, Giraldi, Sibilialia
Nay: XXX
Abstain: XX

Motion Carried 6-0.

ORDINANCES-SECOND READING

Ordinance No. 2016-01 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Amending Chapter 167, Fire Prevention, of the Code of the Borough of Raritan, Section 6, Inspections of Multi Family Dwellings and Apartments, Regarding Fees

Mayor McMullin opened the public hearing on Ordinance No. 2016-01 to the public.

Michael DiCicco of 32 Alpine Way, Raritan, New Jersey commented that he didn't feel that fees should be raised; people cannot afford it.

Seeing there were no more comments Mayor McMullin closed the public hearing.

On motion by Councilman Giraldi, seconded by Councilman Bray, it was moved to adopt Ordinance No. 2016-01.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi,
Nay: Sibilialia
Abstain: XXX

Motion Carried 5-1-0.

RESOLUTIONS

Resolution No. 2016-02-45 - Appointment of Firefighters

On motion by Councilman Foohey, seconded by Councilman Sibilialia, it was moved to approve Resolution No. 2016-02-45.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilialia
Nay: XXX
Abstain: XXX

Motion Carried 6-0.

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Resolution No. 2016-02-46 - Resolution of the Borough of Raritan, County of Somerset, State of New Jersey, Amending Resolution No. 2016-01-03 and Authorizing the Execution of a Professional Services Contract with Jeffrey B. Lehrer, Esq. and the Law Firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. for Services as Redevelopment Counsel

On motion by Council President Carra, seconded by Councilman Bray, it was moved to approve Resolution No. 2016-02-46.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Giraldi,

Nay: Foohey, Sibilialia

Abstain: XXX

Motion Carried 4-2-0.

Resolution No. 2016-02-47 - Tower/Wrecker Licenses

On motion by Councilman Giraldi, seconded by Councilwoman Danyluk, it was moved to approve Resolution No. 2016-02-47.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilialia

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2016-02-48 - Resolution Authorizing a Refund on the Overpayment of Taxes - Block 70 Lot 4

On motion by Councilman Sibilialia, seconded by Councilman Giraldi, it was moved to approve Resolution No. 2016-02-48.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilialia

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2016-02-49 - Refund of Building Permit Fee

On motion by Councilman Giraldi, seconded by Councilman Sibilialia, it was moved to approve Resolution No. 2016-02-49.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilia
Nay: XXX
Abstain: XXX

Motion Carried 6-0.

Resolution No. 2016-02-50 - Railroad Monthly Parking Refund

On motion by Councilman Sibilia, seconded by Councilman Bray, it was moved to approve Resolution No. 2016-02-50.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilia
Nay: XXX
Abstain: XXX

Motion Carried 6-0.

APPROVAL OF THE BILLS LIST

On motion by Council President Carra, seconded by Councilwoman Danyluk, it was moved to approve the bills list for the period January 22, 2016 thru February 19, 2016 in the amount of \$1,887,426.32.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilia
Nay: XXX
Abstain: XXX

Motion Carried 6-0.

PURCHASE ORDER REQUESTS

1. Fire Department - Replacement of rear garage door at 16 Anderson Street Firehouse - Overhead Door Company of Central Jersey in the amount of \$2,395.00.

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

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilia
Nay: XXX
Abstain: XXX

Motion Carried 6-0.

2. Public Works Department - Vehicle Tires - Cooper Tires in an amount not to exceed \$2,500.00.

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

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilia

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

3. Public Works Department - Parts and Repair of Trailer and Plow - Central Jersey Trailer & Hitch Depot in an amount not to exceed \$2,000.00.

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

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi, Sibilia

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

OLD BUSINESS

Mayor McMullin provided an update on the Tour of Somerville Cycling Series. He stated that since the downtown is busy on Saturdays, all parties agreed to not hold the race this year and an alternate location would be looked into for next year.

COMMITTEE AND LIAISON REPORTS

Councilman Sibilia had nothing to report.

Councilman Foohey reported that the Historic & Cultural Committee initiated the light at the Basilone statue. Also, the Historic & Cultural Committee will be conducting a walking tour on April 23, 2016 at 10:30a.m. and 1:30p.m. and a sub-committee has been formed to collect all historic artifacts and to find a place to store the memorabilia.

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Councilwoman Danyluk reported that the Environmental Commission did not meet.

Council President Carra had nothing to report.

Councilman Bray reported that the Recreation Committee has provided positive feedback with regard to the NJ Venom softball proposal and it was requested that Mr. Gonnella from the NJ Venom attend the next Recreation meeting to give more detail.

Councilman Giraldi reported on the snow removal at the Library and stated that going forward the Borough would be responsible for removing the snow. In addition, there has been no agreement on a date or location for the meeting between the Library Board of Trustees and the Borough Council. Mayor McMullin gave a brief update on the Library's goals and the proposed addition. Mr. Giraldi also delivered the Police Report.

PUBLIC COMMENTS

None.

ADJOURNMENT

On motion by Councilman Sibilia, seconded by Councilman Giraldi, it was moved to adjourn the meeting.

Recorded Vote: All Ayes

Motion Carried 6-0.

Meeting adjourned at 8:33p.m.

Respectively Submitted,

Marguerite Schmitt, RMC
Borough Clerk

Approved: _____