

April 12, 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 (arrived at 6:32p.m.), Councilwoman Danyluk, Councilman Foohey, Councilman Giraldi, Councilman Sibilialia
Absent: XXX
Also Present: Mayor McMullin, Borough Attorney Wenner, Borough Administrator Jaxel, Borough Engineer Schrek (arrived at 7:00p.m.), Police Chief McCormick (arrived at 7:00p.m.), Borough Clerk Schmitt

INVOCATION AND FLAG SALUTE

Councilman Foohey led the invocation and flag.

EXECUTIVE SESSION

Resolution No. 2016-04-67 - Executive Session - Subject Matter: Personnel; Contracted Personnel; Attorney/Client Privilege

On motion by Councilman Bray, seconded by Councilman Sibilialia, it was moved to approve Resolution No. 2016-04-67.

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

Recorded Vote: All Ayes

Motion Carried 6-0.

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

PUBLIC COMMENT

Donald Tozzi of 38 Glaser Avenue, Raritan, New Jersey informed Council that rumors have been circulating regarding the Basilone Foundation conducting the Duck Race. Mr. Tozzi stated that the Duck Race cannot be held without the assistance of the Fire Department. Mr. Tozzi also requested a moment of silence for Al Gaburo's father who passed away recently.

Borough Attorney Wenner explained the request for proposal and how the net proceeds were to be dispersed. Discussion ensued on how Council was to disperse the funds and the following motion was entered:

On motion by Councilman Foohey, seconded by Councilman Sibilgia, it was moved to assign the 25% of the proceeds designated to Raritan Borough from the Duck Race to the Raritan Fire Department.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

PUBLIC HEARING TO DETERMINE FITNESS OF BUILDING

Block 35, Lot 5.01 - 401 Tillman Street

Borough Attorney Wenner reviewed the authority to conduct said hearing. Mr. Wenner noted that the property owners are not in attendance and swore in Construction Official, Lou Gara. Mr. Gara gave testimony that this property has been abandoned for over ten years, it is in disrepair, there are no utilities and in his opinion the property should be leveled. It was noted that the property is not habitable.

Mr. Wenner noted that there is a mortgage held on the property and foreclosure proceedings were filed years prior. Mr. Wenner advised that Council has the authority to award a number of remedies.

After a brief discussion the following Resolution was entered into record:

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Resolution No. 2016-04-75 - A Resolution of the Borough of Raritan, County of Somerset, State of New Jersey Setting Forth an Order of Demolition for 401 Tillman Street, Block 35, Lot 4.01, Located in 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. 2016-4-75.

Discussion ensued on the costs of demolition, fines and subsequent liens if appropriate.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

APPROVAL OF MINUTES

March 8, 2016 - Executive Session

March 8, 2016 - Regular Meeting

On motion by Council President Carra, seconded by Councilman Bray, it was moved to approve the minutes of the March 8, 2016 - Executive Session and Regular Meeting.

Recorded Vote:

Aye: Bray, Carra, Foohey, Giraldi, Sibilia

Nay: XXX

Abstain: Danyluk

Motion Carried 5-0-1.

March 21, 2016 - Special Budget Workshop Meeting

On motion by Councilman Giraldi, seconded by Councilwoman Danyluk, it was moved to approve the minutes of the March 21, 2016 - Special Budget Workshop Meeting.

Recorded Vote:

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

Nay: XXX

Abstain:

Motion Carried 6-0.

March 22, 2016 - Executive Session
March 22, 2016 - Regular Meeting

On motion by Councilman Bray, seconded by Councilman Giraldi, it was moved to approve the minutes of the March 22, 2016 - Executive Session and Regular Meeting.

Recorded Vote:

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

Motion Carried 6-0.

WORK SESSION

1. Engineer's Report (SS)

Borough Engineer Schrek delivered the following report:

Raritan Library

We have requested informal quotes, to replace and relocate the electrical panel, from 4 local contractors. No quotes were received. We negotiated a price with the one of the invited contractors, Action Electrical Services of South Plainfield. The negotiated cost is \$25,760.00, with an alternate for trench work of \$3900.00. It is recommended that the contract be awarded for the base bid with the alternate work performed by Public Works.

Firehouse Generator

The installation of the emergency generator is proceeding at the Thompson Street Firehouse. As you will recall, the second round bids were over budget with the low bid at \$61,620. We negotiated a lower bid at \$51,500 by eliminating all underground piping and conduit and running all feed and service above ground. The Borough Electrical Inspector requires that feed be underground necessitating the attached Change Order No. 1. This too is a negotiated amount at \$5,728.93, down from \$9,786, representing a 11.12% increase to the base contract.

Bell Avenue Improvements (2015 NJDOT Local Aid Grant)

The project design is 80% complete. Scope includes curb/sidewalk repairs, ADA ramping at crosswalks, drainage improvements, base repairs and surface mill/overlay. This project is substantially funded through the 2015 NJDOT Transportation Trust Fund.

Sherman Avenue Improvements (2016 NJDOT Local Aid Grant)

The Borough has just been award a 2016 Transportation Trust Fund grant in the amount of \$223,500.00.

Inflow and Infiltration Study

Base mapping of the existing sanitary system is completed. We are reviewing past inspection reports to target areas for flow study.

Sanitary Manhole Restoration (2015 CDBG)

On March 17, 2016 bids were received and opened for the above referenced project. Of three (3) bids received, PIM Corporation of Piscataway, NJ, is the lowest responsible bidder with a total base bid of \$52,807.00. Based on review of documents submitted, we recommend award of the contract to PIM Corporation in the amount of \$52,807, subject to certification of funds. This project is fully funded through the Somerset County Community Block Grant program.

Sanitary Manhole Restoration (2016 CDBG)

We are processing this year's Community Development Block Grant application. The application was submitted on 3/18. Presentation day is schedule for May 22.

Redevelopment Area Study

The redevelopment Planner is continuing progress on the Redevelopment Study as authorized by the Planning Board. A Public Hearing will be scheduled for a date in early May. The exact date is to be determined at the time of this writing.

Borough Wide Inlet Repairs

Plans and specification shave been completed for inlet repairs. The "Top Five Repairs" have been sent to local contractors requesting informal quotes.

2. **Redevelopment of LaGrange Street (PG)**

Councilman Giraldi stated that there are two unutilized vacant properties on LaGrange Street that he would like to recommend to Council to refer to the Planning Board for a redevelopment study. Borough Engineer Schrek exhibited the proposed properties on a diagram, gave an overview and commented that this would be a competent project for development in a walkable community. A brief discussion ensued on this proposal.

Mayor McMullin stated that he has met with the Rescue Squad regarding this property and noted that the rescue squad would like to have a continued presence in Raritan. Mayor McMullin also noted that each project may have multiple ramifications.

3. 16 Anderson Street Project (PG)

Councilman Giraldi stated that he and Councilman Sibiliala took a tour of the Fire House on Anderson Street and noted that the first floor of the building is intact; however, the second floor is in disrepair. Mr. Giraldi gave a brief background on the repairs that have been made to the Fire House. He suggested that the proposed meeting room may no longer be needed since the addition to the Library will provide the needed meeting space. Mr. Giraldi proposed that the upstairs area be made into a functional storage area. Discussion ensued and it was noted that any proposed changes would need to be approved by the County with regard to the grant money received.

4. Redevelopment of Washington School (CM)

Mayor McMullin noted that there are approximately 6 acres of land on which Washington School currently sits not including the fields to the North. Mayor McMullin suggested some possible future uses for the property and made the following requests; that the Recreation Department, Fire Department, Rescue Squad and Police Department all present a need assessment for their potential uses of the property.

Councilman Foohey and Councilman Sibiliala requested that Council explore all options and available resources.

5. Donation of 2 file cabinets (DJ)

Borough Administrator Jaxel requested that Council accept the donation of two file cabinets from a law office.

On motion by Councilman Sibiliala, seconded by Councilman Bray, it was moved to accept the donation of two file cabinets.

Recorded Vote: All Ayes

Motion Carried 6-0.

6. Hiring of Summer Help for DPW (DC)

Council President Carra stated that the Public Works Department is requesting permission to hire two temporary employees for the summer. They are looking to hire immediately and request permission to hire Ronnie Johnson at a rate of \$10 per hour.

Councilman Sibiliala suggested reaching out to the VoTech School. Borough Administrator Jaxel suggested that Council set a termination date for these positions.

On motion by Council President Carra, seconded by Councilman Bray, it was moved to hire two summer help employees immediately in the Public Works Department at a rate of \$10 per hour not to exceed \$10,000 and to terminate on Labor Day.

Recorded Vote:

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

Nay: XXX

Abstain:

Motion Carried 6-0.

7. Accepting Letter of Resignation from the Borough Clerk (DJ)
Mayor McMullin acknowledged the resignation letter from the Borough Clerk and recognized the positive contribution she made to the Borough.

On motion by Council President Carra, seconded by Councilman Bray, it was moved to accept the resignation letter from Borough Clerk Schmitt.

Recorded Vote:

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

Nay: XXX

Abstain:

Motion Carried 6-0.

8. Proceeds from the Duck Race (DJ)
This item was discussed under Public Comment.

Mayor McMullin requested that Council adopt a Resolution supportive of the idea to relocate emergency and recreational services to the Washington School property and that the affected parties perform a needs assessment with regard to the relocation.

On motion by Council President Carra, seconded by Councilman Bray, it was moved to adopt Resolution No. 2016-04-76.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

ORDINANCES-SECOND READING

Ordinance No. 2016-04 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Authorizing the Acquisition of Real Property Identified as Block 24 Lot 1, 606 First Avenue, on the Tax Map of the Borough of Raritan from the County of Somerset for the Consideration of One Dollar

Mayor McMullin opened the Public Hearing on Ordinance No. 2016-04. There being no comments, Mayor McMullin closed the Public Hearing.

Councilman Giraldi and Councilman Sibilia requested that the Washington School sign over the building be saved from demolition and placed with the historic items. Councilman Sibilia will make a request to the County.

On motion by Council President Carra, seconded by Councilman Sibilia, it was moved to adopt Ordinance No. 2016-04.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

ORDINANCES-FIRST READING

Ordinance No. 2016-06 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey Appropriating and Authorizing the Expenditure of \$30,912.00 to be Financed through the Use of Capital Surplus

On motion by Councilman Sibilia, seconded by Councilman Bray, it was moved to introduce Ordinance No. 2016-06.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

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Ordinance No. 2016-07 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey Amending Chapter 207 Entitled "Land Use and Development" of the Code of the Borough of Raritan in Order to Exempt Borough Owned Property From Site Plan Review and Approval

On motion by Councilman Giraldi, seconded by Councilman Sibilgia, it was moved to introduce Ordinance No. 2016-07.

Councilman Foohey stated that even though this ordinance would essentially bypass the Planning Board review, he noted that a courtesy review could still be conducted. Borough Attorney Wenner confirmed that Planning Board approval would essentially not be necessary; however as a matter of courtesy they could advise on the project.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Mayor McMullin 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, May 10, 2016 at 7:00p.m. or at any time and place to which the meeting for the further consideration of the ordinance shall be adjourned.

CONSENT AGENDA

Mayor McMullin requested that Council review the Consent Agenda.

It was requested that Resolution No. 2016-04-74 be removed from the Consent Agenda for discussion.

Resolution No. 2016-04-68 - Award of Contract for 2016 Miscellaneous Sanitary Sewer Manhole Repairs

Resolution No. 2016-04-69 - Award of Contract for Continuing Disclosure Agent Services and Appointment as Independent Registered Municipal Advisor "Of Record"

Resolution No. 2016-04-70 - Amendment to Contract for the Fire House Generator Project and Authorization of Change Order No. 1 With Respect Thereto

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Resolution No. 2016-04-71 - Resolution Authorizing the Release of Escrow Funds to JDN Properties at Raritan

Resolution No. 2016-04-72 - Authorizing Person-to-Person Transfer of Plenary Retail Distribution Liquor License No. 1816-44-007-002 from Crown Liquors Inc. to Vijeta Kambhampati

Resolution No. 2016-04-73 - Disposition of Equipment by the Borough Administrator

On motion by Councilman Giraldi, seconded by Councilman Bray, it was moved to approve Resolution No. 2016-04-68 through Resolution No. 2016-04-73

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

Resolution No. 2016-04-74 - Resolution Authorizing the Borough of Raritan Planning Board to Undertake a Preliminary Investigation for the Redevelopment of Approximately 0.9035 Acres of Land Known as Block 93, Lots 1 and 2 as Shown on the Borough of Raritan Tax Map

On motion by Councilman Giraldi, seconded by Councilwoman Danyluk, it was moved to approve Resolution No. 2016-04-74.

Recorded Vote:

Aye: Bray, Danyluk, Giraldi

Nay: Foohey, Sibilialia

Abstain: Carra

Motion Carried 3-2-1.

PURCHASE ORDER REQUESTS

Police Department - Annual Software Maintenance Agreement RMS system - QED in the amount of \$3,159.00

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

Recorded Vote:

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

Nay: XXX
Abstain: XXX

Motion Carried 6-0.

Mayor McMullin stated that he would like to entertain a motion for the purpose of specifying the work of Bob Bogart at the Department of Public Works.

On motion by Council President Carra, seconded by Councilman Giraldi, it was moved to contract with Bob Bogart of Van Cleef Engineering for consultant services in the Department of Public Works at an amount not to exceed \$4,000.00 and for a period not to exceed three months.

Recorded Vote:

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

Motion Carried 6-0.

OLD BUSINESS

Council President Carra stated that she was recently informed that the sweeper truck in the Public Works Department is in need of an extensive repair. Borough Administrator Jaxel stated that he has informed the Department that they need to submit a purchase order and a brief explanation of the repair in writing.

Councilman Sibilialia stated that he has spoken to the Borough Attorney regarding his concerns with the powers of the Board of Health and their autonomy that may affect residents. Discussion ensued regarding the Board of Health's powers and the smoking ordinance up for discussion at the next Board of Health meeting. Borough Attorney Wenner stated that he would research options and prepare a memo.

COMMITTEE AND LIAISON REPORTS

Councilman Sibilialia did not have a report.

Councilman Foohey reported that the Historic and Cultural Committee will be holding a walking tour on Saturday, April 23rd at 10a.m. and 1p.m.; a rain date is scheduled for May 7th, the full details are posted on the Borough website.

Councilwoman Danyluk did not have a report.

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Council President Carra reported that the tree behind the Municipal Building has been evaluated and determined that it should be removed.

Councilman Bray reported that the Board of Health would like to recognize April as National Autism Month. Mr. Bray also read the Board Health and Court fee reports. In addition, Councilman Bray stated that opening day for Baseball and Softball will be on Saturday, April 16th.

Councilman Giraldi reported that the Basilone Committee was not able to retain West Point for the concert, the Library Board of Trustees will meet next week and he is still working with the Police Chief to outline a hiring process.

PUBLIC COMMENTS

Donald Tozzi of 38 Glaser Avenue, Raritan, New Jersey thanked Council for working out the details of the Duck Race.

On motion by Councilman Bray, seconded by Councilman Foohey, it was moved to approve the walk for the Baseball/Softball Opening Day along the suggested route.

Recorded Vote:

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

Nay: XXX

Abstain: XXX

Motion Carried 6-0.

ADJOURNMENT

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

Recorded Vote: All Ayes

Motion Carried 6-0.

Meeting adjourned at 8:41p.m.

Respectively Submitted,

Marguerite Schmitt, RMC
Borough Clerk

Approved: _____