

April 26, 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
Absent: Councilman Sibilia
Also Present: Mayor McMullin, Borough Attorney Wenner,
Borough Administrator/Acting Deputy Clerk Jaxel,
Borough Engineer Schrek (arrived at 7:00p.m.),
Police Chief McCormick (arrived at 7:00p.m.)

INVOCATION AND FLAG SALUTE

Councilman Giraldi led the invocation and flag salute.

EXECUTIVE SESSION

Resolution No. 2016-04-77 - Executive Session - Subject Matter:
Personnel; COAH

On motion by Councilman Bray, seconded by Councilman Giraldi, it
was moved to approve Resolution No. 2016-04-77.

Recorded Vote:

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

Motion Carried 5-0.

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

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

Recorded Vote: All Ayes

Motion Carried 5-0.

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

PUBLIC COMMENT

None.

PUBLIC HEARING TO DETERMINE FITNESS OF BUILDING

Block 116.02, Lot 4 - 21 Orlando Drive

Borough Attorney Wenner reviewed the authority to conduct a hearing on said habitability complaint. Mr. Wenner indicated that a principal of the Raritan Orlando Drive Associates along with their attorney are in attendance.

Mr. Wenner swore in Construction Official, Lou Gara. Mr. Gara gave testimony to the condition of the building and noted that in his opinion that the building is uninhabitable.

Ryan San George, Esq. of Saiber Attorneys at Law, 18 Columbia Turnpike, Suite 200, Florham Park, NJ 07932 gave testimony on the history and the situation regarding the property in question. Mr. San George requested that the town work with his client to obtain the proper approvals and permits, for a proposed project, prior to ordering demolition on the property.

Borough Attorney Wenner expressed the Council's concern with the current state of the building. Borough Engineer Schrek gave testimony regarding the ability to obtain permits from the Department of Environmental Protection. Additional testimony was given and Mayor McMullin initiated a question and answer session.

After a lengthy discussion it was determined to continue the hearing in order to provide time for the principal's civil engineer and the Borough's engineer to gather information as to whether the demolition of the structure will adversely affect the NJDEP's determination of the riparian set-back. The next hearing is scheduled for Tuesday, May 10, 2016 at 7:00p.m. at the Raritan Municipal Building.

APPROVAL OF MINUTES

April 12, 2016 - Executive Session

On motion by Councilman Giraldi, seconded by Councilwoman Danyluk, it was moved to approve the April 12, 2016 Executive Session minutes.

Recorded Vote:

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

Motion Carried 5-0.

April 12, 2016 - Regular Meeting

On motion by Council President Carra, seconded by Councilman Giraldi, it was moved to approve the April 12, 2016 Regular Meeting minutes.

Recorded Vote:

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

Motion Carried 5-0.

WORK SESSION

1. Shrine Chapel of the Blessed Sacrament-Procession Request (DJ)
After reviewing the parade route for the Feast of Corpus Christi on May 29, 2016, submitted by the Shrine Chapel of the Blessed Sacrament, Council enter the following motion:

On motion by Councilman Giraldi, seconded by Council President Carra, it was moved to approve the parade route for the Feast of Corpus Christi as submitted.

Recorded Vote:

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

Motion Carried 5-0.

2. 16 Anderson Street Fire House Use (DJ)
Councilman Giraldi inquired if a motion was required to change the scope of the Fire House project. Borough Administrator Jaxel explained the procedure if such was Council's plan. Mayor McMullin expanded on the utilization of the property.

On motion by Councilman Giraldi, seconded by Council President Carra, it was moved to authorize the Borough Administrator and Borough Engineer to move ahead on all common aspects of the grant for the 16 Anderson Street Fire House project.

Recorded Vote:

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

Motion Carried 5-0.

ORDINANCES- SECOND READING

Ordinance No. 2016-05 - Calendar Year 2016 - Ordinance to
Establish a Cap Bank (N.J.S.A. 40a:4-45.14)

Mayor McMullin opened the Public Hearing on Ordinance No. 2016-05. There being no comments, Mayor McMullin closed the Public Hearing.

On motion by Councilman Bray, seconded by Councilman Foohey, it was moved to adopt Ordinance No. 2016-05.

Recorded Vote:

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

Motion Carried 5-0.

PUBLIC HEARING AND ADOPTION OF 2016 MUNICIPAL BUDGET

Resolution No. 2016-04-78 - Adoption of 2016 Municipal Budget

Mayor McMullin opened the Public Hearing on the 2016 Municipal Budget. There being no comments, Mayor McMullin closed the Public Hearing.

Borough Administrator Jaxel read the 2016 Budget Resolution into record.

On motion by Councilman Bray, seconded by Council President Carra, it was moved to approve Resolution No. 2016-04-78.

Recorded Vote:

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

Motion Carried 5-0.

CONSENT AGENDA

Resolution No. 2016-04-79 - A Resolution of the Borough of Raritan, County of Somerset, State of New Jersey Authorizing the Execution of a Shared Service Defense Agreement for Vicinage 13

Resolution No. 2016-04-80 - Resolution Authorizing Award of a Contract for Professional Services with Kyle Planning and Design for Planning Services Associated with the Mount Laurel Declaratory Judgment Action

Resolution No. 2016-04-81 - Resolution Authorizing a Refund on the Overpayment of Taxes - Block 63 Lot 2

Resolution No. 2016-04-82 - Railroad Monthly Parking Refund

On motion by Councilman Foohey, seconded by Councilman Bray, it was moved to approve Resolution No. 2016-04-79 through Resolution No. 2016-04-82.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

APPROVAL OF THE BILLS LIST

On motion by Councilman Giraldi, seconded by Councilman Bray, it was moved to approve the bills list for the period March 22, 2016 thru April 21, 2016 in the amount of \$1,895,795.52.

Recorded Vote:

Aye: Bray, Carra, Danyluk, Foohey, Giraldi

Nay: XXX

Abstain: XXX

Motion Carried 5-0.

OLD BUSINESS

Councilman Bray commented that in reference to last meeting's discussion on the autonomy of the Board of Health, he would like to give the representatives of the Board the opportunity to speak on this issue. Mayor McMullin gave some background on this topic.

Paula Machala, President of the Board of Health stated that the members of the Board of Health come from different backgrounds

and all have strong bonds to the town. Ms. Machala stated that the common goal of the Board of Health is to improve the health of the citizens of Raritan. Ms. Machala gave an overview of the Board's functions.

COMMITTEE AND LIAISON REPORTS

Councilman Foohey reported that Historic & Cultural Committee held their Walking Tour last Saturday, April 23rd and approximately 29 people participated. Mr. Foohey read a letter of congratulations from Somerset County Cultural & Heritage Commission congratulating the Raritan Historic and Cultural Committee on receiving the 2016 Historic Preservation and History Award. Mr. Foohey gave the Fire Department report. He also reminded residents that taxes are due on May 1st and the tax office will be open late on May 6th. Mr. Foohey also encouraged residents to pick up a Borough Calendar when they came in to pay their taxes.

Councilwoman Danyluk reported that the Environmental Commission held their annual river clean up last Saturday and stated that there was a very nice turn out for the event and thanked everyone who volunteered.

Council President Carra stated that the Public Works Department hired a summer help employee. Ms. Carra requested that Borough Engineer Schrek inspect a down tree in Elizabeth Park and also stated that the banner across Main Street is wrinkled and crumbled.

Councilman Bray delivered the Board of Health report and stated that on June 2nd the Somerset County Health Department will hold a health initiative on protection from mosquito and tick bites entitled, Fight the Bite; more information is available on the Borough website. The Recreation Department held the Baseball/Softball opening day last Saturday and it was a very nice event, also the pools are scheduled to open June 25th. The next Planning Board meeting will be held tomorrow night. Mr. Bray also commented that he attended the Basilone Memorial Foundation's Casino Night which was a very nice event and thanked Mr. Tozzi for putting on a wonderful event for a great cause.

Councilman Giraldi commented that one of the Borough pools will also be open on Sunday's this year. Mr. Giraldi delivered the Police report and stated that he attended the Library meeting. Mr. Giraldi reported on the Library Board's concern regarding the electrical repairs.

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Mayor McMullin reported that he attended the St. Ann's Dare Ceremony and was impressed by the program. Mayor McMullin complimented the Raritan Borough Police Department and the Somerset County Prosecutor's office for their participation in the Dare Program. Mayor McMullin also reported on the Bridgewater-Raritan School District's concern with lead in the drinking water and requested that Council agree to additional water testing in that area. In addition, the Mayor reported on the public information meeting and proposed intersection improvements to Route 202 and First Avenue. Councilman Foohey and Council President Carra remarked on some of the comments and recommendations made at the public information meeting.

PUBLIC COMMENTS

James Fidacaro of 812 Lynwood Street, Raritan, New Jersey elaborated on the comments made at the Public Information Session regarding the Route 202 and First Avenue Improvements. He also thanked the Mayor and Council for being supportive of the Historic and Cultural Committee and commented on current and future projects of interest to the committee.

ADJOURNMENT

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

Recorded Vote: All Ayes

Motion Carried 5-0.

Meeting adjourned at 8:37p.m.

Respectively Submitted,

Marguerite Schmitt, RMC
Borough Clerk

Approved: _____