

This Regular Meeting of the Borough of Raritan Council was called to order by Mayor McMullin at 6:30 p.m. The meeting was held in the Meeting Room of the Raritan Municipal Building, 22 First Street, Raritan, NJ 08869.

Mayor McMullin announced that the meeting was called pursuant to the provisions of the Open Public Meetings Act. Notices of the meeting were sent to *The Courier News* and *The Star Ledger* on January 28, 2016. In addition, notices were posted on the bulletin board in the Municipal Building, on the Borough website and made available in the Office of the Borough Clerk.

**ROLL CALL**

Present: Mayor McMullin, Council President Carra, Councilman Bray, Councilman Foohey, Councilman Giraldi, Councilman Sibilialia \* Councilman Sibilialia left the meeting at 7:44 p.m.  
Absent: Councilman McGinley  
Also Present: Borough Administrator Jaxel, Borough Attorney Wenner, Borough Engineer Schrek and Borough Clerk Colvin

**INVOCATION AND FLAG SALUTE**

Councilman Foohey led the Invocation and Flag Salute.

**EXECUTIVE SESSION**

Resolution No. 2016-11-165 - Executive Session - Subject Matter: Personnel, Contract Negotiations and Attorney Client Privilege.

On a motion by Councilman Giraldi, seconded by Councilman Bray, Council moved to Approve Resolution No. 2016-11-165.

Recorded Vote

Yea: Bray, Carra, Foohey, Giraldi, Sibilialia  
Nay: x  
Abstain: x  
Motion Carried: 5-0

Council convened in Executive Session at 6:33 p.m.

On a motion by Councilman Bray, seconded by Councilman Giraldi, Council moved to Reconvene in Regular Session.

Recorded Vote

Yea: Bray, Carra, Foohey, Giraldi, Sibilialia  
Nay: x  
Abstain: x

Motion Carried: 5-0

Council came out of Executive Session at 7:01 p.m. and resumed in Regular Session at 7:03 p.m.

Mayor McMullin informed attendees the Work Session item regarding Mayor and Council salaries would be tabled until a future meeting.

**PUBLIC COMMENT**

Mayor McMullin opened the Public Comment portion of the meeting for members of the public wishing to speak.

Joan Nelson, 410 Raritan Avenue: Thanked all parties who have worked to end the rat infestation problem caused by the former owner/occupants of 413 Raritan Avenue. She said the problem still exists.

JoAnn Mitchell, 403 & 405 Raritan Avenue: The rat problem has not changed, she said she believes they are nesting in the trees. Questioned the schedule related to treatment.

Seeing no additional hands, Mayor McMullin closed this Public Comment portion of the meeting.

**WORK SESSION PART I**

1. Block 81 - Special Redevelopment Counsel Jeffrey Lehrer  
Mayor McMullin said the meeting would go slightly out of order to allow for Special Redevelopment Counsel Jeffrey Lehrer to make a presentation and field questions.

Attorney Jeffrey Lehrer: The matters on for consideration tonight are the results of much hard work. There is a financial agreement, redevelopment plan and redevelopment agreement on the agenda. The Borough stands to benefit substantially from the redevelopment.

Mayor McMullin said the Coordinating Committee has been working on this for months. He read a letter from the committee, stating the committee is in full support of the plans and actions Attorney Lehrer has recommended.

Councilman Sibilila asked whether, of the 95 percent of the taxes collected that go to the Borough, can the Borough give any to the School District. Attorney Lehrer said the Borough would be able to, at Council's discretion.

Councilman Foohey asked for a timeframe. Attorney Lehrer said the redeveloper has 30 months to complete from the date of the building permit from the Borough.

**HABITABILITY HEARING**

1. 413 Raritan Avenue

Attorney Wenner there has been a lot of conversation about this property. An administrative search warrant was issued and the property was accessed. County Health Officer was present. Bait was placed inside the property, photographs were taken (Attorney Wenner distributed photographs to Mayor and Council).

Attorney Wenner said it is his opinion the property is not fit for habitation, for reasons including urine and feces throughout and a rodent population. An order will be issued to have the property cleaned up. No one was present to represent the owner.

A real estate broker, Alex Mosquera, with Terra, said he would like to work with the Borough and the client he represents to orchestrate a deal.

A brief discussion between Mayor McMullin, Attorney Wenner and Mr. Mosquera ensued, regarding ways to move forward related to the state of the property and any potential transaction. No agreement was reached.

Attorney Wenner asked Council to approve a measure to require the property to be cleaned up within 30 days.

(Inaudible comments from Ms. Nelson. Seem to be related to a shed in the backyard of the property)

Councilman Foohey asked whether the gutting includes taking down sheetrock walls. Mr. Mosquera said yes.

Attorney Wenner read Resolution 2016-11-176, which imposed a 30-day period to have the property and structure remediated. After that time, the Borough would have the right to do so and place a lien on the property.

On a motion by Councilman Sibiliala, seconded by Councilman Giraldi, Council moved to Adopt Resolution 2016-11-176.

Recorded Vote

Yea: Bray, Carra, Foohey, Giraldi, Sibiliala

Nay: x

Abstain: x

Motion Carried: 5-0

2. 13 East Somerset Street

Construction Official Lou Gara recommended this property be considered for a Habitability Hearing, Attorney Wenner said. He read from a letter from Mr. Gara, who stated the property has been vacant for 17 years.

Property owner Anthony Mulinowski was present to provide testimony. He said the property is vacant. There were gas tanks that have been remediated. There are some environmental issues that still need to be cleared. He said the building is sound and is paying the taxes, as well as remediation costs and DEP fees. He has had potential buyers, but none materialized. He currently has some buyers interested, if he can get a clean bill of health.

Mayor McMullin asked Attorney Wenner whether this matter could be continued at the meeting on the second Tuesday in January, January 10, 2017.

On a motion by Councilman Foohey, seconded by Council President Carra, Council moved to Continue the Habitability Hearing on 13 East Somerset Street.

Recorded Vote

Yea: Bray, Carra, Foohey, Giraldi, Sibilialia

Nay: x

Abstain: x

Motion Carried: 5-0

Councilman Sibilialia exited the meeting at 7:44 p.m.

**APPROVAL OF MINUTES**

October 25, 2016 - Executive Session

October 25, 2016 - Regular Session

On a motion by Council President Carra, seconded by Councilman Giraldi, Council moved to Approve the Executive and Regular Session Minutes of October 25, 2016.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

**WORK SESSION PART II**

2. Engineer's Report

Engineer Schrek reported the following:

Bell Avenue Improvements (2015 NJDOT Local Aid Grant)

The project design is 95 percent complete. Scope includes curb/sidewalk repairs, ADA ramping at crosswalks, drainage improvements, base repairs and surface mill/overlay. This project is on hold due to the Transportation Trust Fund (TTF) shutdown.

Sherman Avenue Improvements (2016 NJDOT Local Aid Grant)

The project design is 95 percent complete. Intent is to combine both the 2015 and 2016 Local Aid projects under a single bid thereby achieving an economy of scale. This project is also on hold due to the TTF shutdown.

Manville Shared Services Initiative

DPW is now coordinating with Manville for repair of catch basins.

Minor Flooding Events on 7/25/2016

Right of Entry agreements have been executed, work will proceed during the week of 11/21.

Anderson Street Fire House

The architect is proceeding with the preparation of bid documents. Bids will be scheduled to be received on 12/16 to theoretically enable an award on 12/20.

401 Tillman Street

Bid specs have been prepared and quotes were solicited for the demolition of the single dwelling located at 401 Tillman Street. Of six quotes requested, one quote was received, from The Yannuzzi Group, in the amount of \$34,500.00. Based on the contractor's qualifications, Engineer Schrek recommend that the project be awarded. Project schedule is to be discussed.

Ortho Drive Pump Station

Pumping Services, Inc. has submitted a proposal to replace two 4 inch gate valves at the Ortho Pump station for a cost of \$18,470.00, including necessary bypass pumping. The valves are original to the pump station and are in need of replacement. It is recommended the cost of the new valves be incorporated into a full reconstruction of the pump station. The two wells have both settled due to improper soil compaction, which was first observed in 2012. Continued monitoring has noticed an increase in deflection, which could compromise the integrity of the piping causing difficulty with replacement of the valves and associated piping. The estimated cost of a newly constructed pump station is \$180,000.00.

Council President Carra and Mayor McMullin briefly discussed the best way to handle rodent control at 401 Tillman Street and 413 Raritan Avenue. The conversation included possible tree and shed removals. Engineer Schrek said he would look into the matter and report back.

Councilman Giraldi asked whether there has been any talk recently about the County paving First Avenue. Engineer Schrek said he has not spoken with the County recently.

3. Reorganization Meeting Date and Time

Councilman Giraldi said he has heard varying dates and times. A brief conversation ensued between Mayor and Council and it was ultimately a unanimous, verbal agreement to hold reorganization at 12 p.m. on Monday, January 2.

4. Council Committee to meet with Recreation (CM)

Mayor McMullin said he would like to appoint three members of Council to meet with the chair of recreation and director of recreation to better understand the issues the department faces. He appointed Councilmen Bray, Giraldi and McGinley. The Mayor requested a report by the first meeting in January.

5. Council Salaries (JF)

Mayor McMullin reminded the audience that this topic would be tabled for discussion at a later date.

**ORDINANCES - SECOND READING & PUBLIC HEARING**

Ordinance No. 2016-14 - 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 to Eliminate Split-Zoned Lots and to Adopt Revisions to the Zoning Map.

Mayor McMullin opened the Public Hearing for any members of the public wishing to be heard on Ordinance No. 2016-14. No members of the Public wished to speak.

On motion by Councilman Bray, seconded by Councilman Giraldi, Council moved to Adopt Ordinance No. 2016-14.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

Ordinance No. 2016-15 - 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 as to Maximum Principal Building Height Requirements.

Mayor McMullin opened the Public Hearing for any members of the public wishing to be heard on Ordinance No. 2016-15. No members of the Public wished to speak.

On motion by Councilman Giraldi, seconded by Councilman Foohey, Council moved to Adopt Ordinance No. 2016-15.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

Ordinance No. 2016-16 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Adopting a Redevelopment Plan for an Area in Need of Redevelopment Consisting of Block 81, Lots 1, 2, 3, 3.01, 4, 5, 6.01, 6.02, 6.03, 7, 8, 9, 9.01 and 10 in Accordance with N.J.S.A. 40A:12A-1, et seq.

Mayor McMullin opened the Public Hearing for any members of the public wishing to be heard on Ordinance No. 2016-16. No members of the Public wished to speak.

On motion by Councilman Giraldi, seconded by Council President Carra, Council moved to Adopt Ordinance No. 2016-16.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

Attorney Wenner wished to present the following Resolution prior to the Introduction of Ordinances:

**RESOLUTION**

Resolution No. 2016-11-166 - Approving Application of Raritan Redevelopers Urban Renewal

On motion by Council President Carra, seconded by Councilman Bray, Council moved to Adopt Resolution No. 2016-11-166.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

**ORDINANCES - FIRST READING**

Ordinance No. 2016-17 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Approving the Financial Agreement for Tax Exemption of Raritan Redevelopers Urban Renewal, LLC. for the Redevelopment of Block 81, Lots 1, 2, 3, 3.01, 4, 5, 6.01, 6.02, 6.03, 7, 8, 9, 9.01 and 10, in Accordance with the long-term Tax Exemption Law, N.J.S.A. 40A:20-1, et. seq.

On motion by Councilman Bray, seconded by Councilman Giraldi, Council moved to Introduce Ordinance No. 2016-17.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

Ordinance No. 2016-18 - An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, Deleting and Replacing Chapter 229 of the Code of the Borough of Raritan Regarding Noise.

Council President Carra said the Housing and Property Maintenance Committee reviewed the Ordinance because the Police had a difficult time enforcing the old Ordinance. Thanks also to Attorney Wenner.

Mayor McMullin said Council President Carra's Housing and Property Maintenance Committee has been active and working hard all year.

On motion by Council President Carra, seconded by Councilman Bray, Council moved to Introduce Ordinance No. 2016-18.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

**RESOLUTION**

Resolution No. 2016-11-167 - Executing Redevelopment Agreement

On motion by Councilman Bray, seconded by Councilman Giraldi, Council moved to Adopt Resolution No. 2016-11-167.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

**CONSENT AGENDA**

Resolution No. 2016-11-168 - Authorizing Application, Municipal Alliance Grant

Resolution No. 2016-11-169 - Authorizing 2016 Municipal Budget Appropriation Transfers

Resolution No. 2016-11-170 - Appointing 2017 Risk Management Consultant - Statewide Insurance Fund

Resolution No. 2016-11-171 - Appointing 2017 Fund Commissioner For Statewide Insurance Fund

Resolution No. 2016-11-172 - Authorizing Cooperative Pricing Agreement with the Educational Services Commission

Resolution No. 2016-11-173 - Appointing Public Defender for Remainder of 2016

Resolution No. 2016-11-174 - Refunding Railroad Parking

On motion by Councilman Giraldi, seconded by Council President Carra, Council moved to Approve the Consent Agenda.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

**APPROVAL OF BILL LIST**

Resolution No. 2016-11-175

On motion by Councilman Giraldi, seconded by Councilman Foohey, Council moved to Approve the Bill List in the amount of \$1,565,709.83 for the period October 24, 2016 through November 11, 2016.

Recorded Vote:

Yea: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

**PURCHASE ORDER REQUEST**

1. Police Department - Atlantic Tactical - Ammunition - \$3,499.45

On motion by Councilman Bray, seconded by Councilman Foohey, Council moved to Approve Purchase Order Request in the amount of \$3,499.45

Recorded Vote:

Aye: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

2. Police Department - Computer Management Corp. - Computers - \$2,034.00

On motion by Councilman Giraldi, seconded by Councilman Bray, Council moved to Approve Purchase Order Request in the amount of \$2,034.00

Recorded Vote:

Aye: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

3. Fire Department - Xerox Government Systems, LLC. - Software - \$1,899.00

On motion by Council President Carra, seconded by Councilman Bray, Council moved to Approve Purchase Order Request in the amount of \$1,899.00

Recorded Vote:

Aye: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

4. Fire Department - Emergency Equipment Sales - Engine Maintenance - \$4,365.00

On motion by Councilman Bray, seconded by Councilman Foohey, Council moved to Approve Purchase Order Request in the amount of \$4,365.00

Recorded Vote:

Aye: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

5. Administration - Village Office Supplies - Conference Room Furniture - \$1,650.00

On motion by Council President Carra, seconded by Councilman Bray, Council moved to Approve Purchase Order Request in the amount of \$1,650.00

Mayor McMullin said this Purchase Order is for new chairs for the conference room. Mayor and Council instructed Administrator Jaxel to dispose of the chairs currently in the conference room.

Recorded Vote:

Aye: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

6. Court - Gramco Business Communications - Digital Court Recorder - \$5,571.00

On motion by Councilman Giraldi, seconded by Councilman Bray, Council moved to Approve Purchase Order Request in the amount of \$5,571.00

Recorded Vote:

Aye: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

7. Engineer - Yannuzzi Group - Demolition of 401 Tillman Street - \$34,500.00

On motion by Council President Carra, seconded by Councilman Foohey, Council moved to Approve Purchase Order Request in the amount of \$34,500.00

Recorded Vote:

Aye: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x  
Motion Carried: 4-0

**OLD BUSINESS**

None

**AUTHORIZATION**

Attorney Wenner asked for Mayor and Council to authorize the two measures discussed regarding hiring in the Police Department.

On motion by Councilman Giraldi, seconded by Councilman Bray, Council moved to Approve the Authorization.

Recorded Vote:

Aye: Bray, Carra, Foohey, Giraldi

Nay: x

Abstain: x

Motion Carried: 4-0

**COMMITTEE AND LIAISON REPORTS**

Councilman Giraldi - The last Basilone Parade Committee meeting of the year will be November 30, 2016. The Councilman said he has statistics available regarding the Police Department activities if anyone is interested. Also, The Breeze will have police reports and the department will soon have a Facebook page.

Councilman Bray - Read the statistics for the Borough Court and Office of Vital Statistics, as well as the monthly Food and Beverage Report. Santa is coming to Raritan on Sunday, December 4 at 2 p.m. There will be an ugly Christmas sweater contest. The Planning Board will meet next on November 30. Bridgewater-Raritan football team will play the sectional championship game at MetLife Stadium on Saturday, December 3 at 1 p.m.

Inaudible comments from audience, concerning Planning Board meeting starting at a different time.

Council President Carra - Public Works has been gathering leaves around the Borough. More collections will happen.

Councilman Foohey - The Historical Committee's Tour of Raritan book is on its second printing. The first edition sold out. The books are available for \$3.00. The Fire Department is asking residents to not park in front of fire hydrants.

**PUBLIC COMMENT**

Mayor McMullin opened this Public Comment portion of the meeting for members of the public wishing to speak.

Michael DeCicco, 28 Alpine Way: Spoke of property values related to multifamily dwellings resale values, assessments and what would be if demolished.

Mayor McMullin said it should be brought before the Planning Board.

Joan Nelson, 410 Raritan Avenue: Asked who the owner of 413 Raritan Avenue is, has the owner changed?

Mayor McMullin said same owner.

**ADJOURNMENT**

On motion by Councilman Giraldi, seconded by Council President Carra, Council Moved to Adjourn the Meeting.

Recorded Vote:

All in Favor

Motion Carried: 6-0

Regular Meeting adjourned at 8:22 p.m.

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Eric M. Colvin  
Borough Clerk

Approved: \_\_\_\_\_