

MINUTES

BOROUGH OF RARITAN SPECIAL MEETING

TUESDAY, SEPTEMBER 10, 2024
6:00 P.M. – EXECUTIVE SESSION
7 P.M. – REGULAR SESSION

This Special Meeting of the Governing Body of the Borough of Raritan was called to order by Mayor Carra in the Meeting Room of the Raritan Municipal Building, 22 First Street, Raritan, NJ 08869 at 6 p.m. on Tuesday, September 10, 2024.

Mayor Carra announced the Special Meeting was called pursuant to applicable portions of the Open Public Meetings Act. Adequate Notice of this Regular Meeting was posted in Borough Hall, on the Borough website and communicated to *The Courier News*, *The Star Ledger* and *The Breeze* on August 27, 2024.

ROLL CALL

Present: Council President Tozzi, Councilman DiGraziano, Councilman Fritzingler, Councilman Patente
Also Present: Borough Administrator Colvin, Acting Borough Clerk Mathewson, Borough Attorney William Robertson and Borough Engineer Joseph Brosnan
Absent: Councilman Agrawal, Councilman Armahizer

INVOCATION AND FLAG SALUTE

Councilman Patente

EXECUTIVE SESSION

Resolution No. 2024-09-154

Entering Executive Session

1. Personnel
Administration, Police
2. Attorney Client
Severance Ordinance, Alpine Way
3. Litigation
Raritan Mall

On motion by Councilman President Tozzi, seconded by Councilman Fritzingler, Council moved to approve Resolution No. 2024-09-154.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzingler, Patente

Nay: x

Absent: Agrawal, Armahizer

Abstain: x

Motion Carried: 4-0

Council convened in Executive Session at 6:02 p.m.

EXECUTIVE SESSION ADJOURNMENT

Council moved to reconvene in Regular Session unanimously.

Council exited Executive Session, and resumed Regular Session at 7:01 p.m.

PROCLAMATION

Ovarian Cancer Awareness Month

Proclamation

OVARIAN CANCER AWARENESS MONTH - SEPTEMBER 2024

WHEREAS, ovarian cancer is the 5th leading cause of death among women and the American Cancer Society estimates each year approximately 19,680 women will be diagnosed with ovarian cancer in 2024 and 12,740 individuals will die from the disease nationwide, including 590 new cases and 340 deaths in New Jersey;

WHEREAS, in the United States, a woman's lifetime risk of being diagnosed with ovarian cancer is about 1 in 87;

WHEREAS, due to vague symptoms and the lack of a reliable early detection test, most women are not diagnosed until Stage III or later, by then the cancer has already begun to spread to the lymph nodes and outside of the pelvis;

WHEREAS, although the five-year survival rate for Stage I ovarian cancer is over 90 percent, only 15 percent of ovarian cancers are diagnosed at this early stage, and the five-year survival rate for late-stage ovarian cancer is below 30 percent;

WHEREAS, while a mammogram can detect breast cancer and a pap smear can detect cervical cancer, there is no reliable early detection test for ovarian cancer;

WHEREAS, women's lives can be saved through increased public awareness of ovarian cancer and its risk factors, signs, and symptoms;

WHEREAS, this month, the Borough of Raritan joins all those who are battling ovarian cancer, those who have lost their lives to the disease, their loved ones, and our state's many dedicated healthcare workers in spreading awareness, committing to public education, and embracing hope for better diagnoses, treatments and a cure.

NOW, THEREFORE, I, Nicolas Carra, Mayor of the Borough of Raritan do hereby proclaim: September 2024 as Ovarian Cancer Awareness Month. I encourage all Borough of Raritan residents to observe Ovarian Cancer Awareness Month and support the cause that so deeply impacts families in every community across our country.

Mayor Carra read the Proclamation aloud and announced that the Department of Public Works has put up teal ribbons along Main Street to raise awareness.

PUBLIC COMMENT (AGENDA ITEMS ONLY)

(In accordance with Section 29-1 of the Code of the Borough of Raritan, there shall be a five-minute limit per speaker)

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

Pablo Orozco, 5 Reimer Street: Mr. Orozco started off by thanking the Mayor and Council for continuing to remember and memorialize the tragic events that took place on September 11th, 2001. Mr. Orozco then stated he was hoping to address Councilman Agrawal regarding his recent social media post. He went on asking numerous questions about meetings the Councilman referenced in the post; was there proper notice for those meetings, was information then shared with the remaining members of Council about discussions during those meetings, did the Councilman establish his own “Star Chamber”. Mr. Orozco then thanked Council for allowing him to speak and address his concerns, adding that he wishes everyone luck, especially the residents of Raritan.

Jim Foohey, 710 Rhine Boulevard: Mr. Foohey started by saying that he was previously on the Council for several years and is familiar with what it takes to be a good council person. One needs to be intelligent, have common sense, and be decisive. Over the last few months there have been multiple meetings regarding the Raritan Mall and an ordinance to change the zoning for that area. Council denied the zoning change once and then re-introduced the ordinance to change the zoning and again denied it. The Borough has now been served with a multi-million-dollar lawsuit and Mr. Foohey stated that he hopes the members of Council can work together to get this figured out.

Abdul Ferozan, 25 Anderson Street: Mr. Ferozan stated that his complaint is regarding a parking lot that was built near his residence that has been affecting his house. He stated that the parking lot does not have proper drainage which is leading to the issues he is having with his property. Mr. Ferozan is looking for a solution in order to save his home. Borough Attorney, William Robertson, advised that he will reach out to Mr. Ferozan to discuss the issues further and hopefully find a solution.

Roger Copt, 1120 Rt. 202: Mr. Copt started off by suggesting that there be a referendum question for the residents asking if they are in favor of more apartments or not on the ballot for November. That way Council knows what the residents want for Raritan. Regarding the pending lawsuit, Mr. Copt stated settling would ‘look bad’ after the zoning change ordinance had been voted down twice. He again mentioned that Council needs to find out what the residents of Raritan really want.

Neither seeing nor hearing any other member of the public, the Mayor closed Public Comment.

MINUTES

1. July 16, 2024
2. August 20, 2024

Mayor Carra asked for a motion to Approve the July 16, 2024 Minutes.

On motion by Councilman DiGraziano, Seconded by Councilman Patente, Council moved to approve the July 16, 2024 Minutes.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzinger, Patente

Nay: x

Absent: Agrawal, Armahizer
Abstain: x
Motion Carried: 4-0

Mayor Carra asked for a motion to Approve the August 20, 2024 Minutes.

On motion by Councilman Patente, Seconded by Council President Tozzi, Council moved to approve the August 20, 2024 Minutes.

Recorded Vote

Yea: Tozzi, Fritzinger, Patente
Nay: x
Absent: Agrawal, Armahizer
Abstain: DiGraziano
Motion Carried: 3-0

COMMITTEE & LIAISON REPORTS

Councilman Patente – Councilman Patente started with the Court report which consisted of 279 cases filed, of that 189 were motor vehicle and the total cases disposed of was 226. Total fees collected amounted to \$21,060.41 with \$10,568.70 going to the Borough. With the Municipal Court becoming a shared service with Bridgewater, the Councilman will be making sure those numbers stay consistent. Councilman Patente then read the Board of Health’s report consisting of two retail food permits and issued 45 retail food licenses. He continued with the Registrar’s report stating 8 residents were born outside of the Borough as well as 8 deaths being reported. There were 6 marriages performed in the Borough and one was a resident. Councilman Patente then went on to state that multiple residents have reached out to him from Arnold Avenue complaining of flooding in their back yards. The Councilman suggested the Engineering company go out and examine this situation. Borough Engineer, Joe Brosnan, responded stating that previous engineers had investigated the drainage issues on Arnold Avenue. Mr. Brosnan stated he is aware of the flooding issues and would be willing to look into the problem further.

On motion by Councilman Patente, Seconded by Council President Tozzi, Council moved to authorize Borough Engineer to look into this situation further and report back.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzinger, Patente
Nay: x
Absent: Agrawal, Armahizer
Abstain: x
Motion Carried: 4-0

Councilman Fritzinger – Councilman Fritzinger started with the Department of Public Works report stating that all the watermain work and road resurfacing has been completed on Prospect, Linwood, Ashton, Danbury, Parsons, Washington School lot, as well as the basketball courts have been repaved. He continued noting the Borough’s bulk pick-up was on August 8, 2024, and the next bulk pick-up date is set for September 12, 2024. Also, the Basilone Parade is coming up on September 22nd and DPW will be out getting everything ready for the event. Continuing with the Building Department report, period of August 20, 2024 through September 10, 2024. There were 5 building permits, 4 planning permits, 9 electrical permits, 7 fire permits, and 6 mechanical permits, totaling 31 permits. Fees collected by the Borough amounted to \$47,189.00. The Councilman then went on to announce the Historical and Cultural

Committee met on August 21st for a brief meeting; the Treasury reported having \$3,308.04 and the Trust Fund having \$1,199.15. They are participating in the John Basilone Parade for the first time this year. The next meeting for the Historical and Cultural Committee will be September 18th at 6:30 p.m. at Borough Hall.

Council President Tozzi – Council President Tozzi started by reading the Police Department report for the month which consisted of 1,336 calls, 357 motor vehicle stops, and 260 violations. He went on to state that the Fire Department had their first event at Washington School on September 7th, which went great. He then announced that this will be an annual event. The Councilman then added there was a fire over by Agway involving a truck, downed wires, and a transformer on September 4th, which the department handled very well. There had been 36 stops in August and the Council President wanted to remind everyone that they are a volunteer Fire Department.

Councilman DiGraziano – Councilman DiGraziano stated that the pool was in great use this summer by the residents and since been closed for the season. That was all he had to report.

OLD BUSINESS

1. Council Meeting Format (MP)
Councilman Patente stated that he would like to request a ‘Town Hall’ format for a portion of a meeting. He suggested one meeting a month having an hour from 7 pm to 8 pm, being the ‘Town Hall’ format; no time restrictions for speakers to discuss various things with Council. Mayor Carra mentioned the concern of the time frame during a regularly scheduled meeting and if there was not enough material to discuss, the regular meeting would have to wait until the noticed time. Councilman Patente added that he was just trying to encourage more communication by Council and the residents.
2. Downtown Planning (NC)
Mayor Carra stated that after the last meeting he and Borough Engineer, Joe Brosnan, walked Manville’s Main Street to see how the County re-designed the flow of traffic and incorporated more parking in town. This was something the Mayor wanted to follow up on after a resident recommended adding reserved parking spaces to Raritan’s Main Street (Somerset Street). Mr. Brosnan stated that designating some spaces on Somerset Street could benefit the Borough in the future. Mayor Carra stated that he would like Council to authorize the Borough Administrator and Borough Engineer to start communicating with the County.

NEW BUSINESS

1. Engineer’s Quarterly Update (JB)
Mayor Carra announced that the Engineer’s report will be moved to the September 24th Council Meeting. Mr. Brosnan did share that the improvements to Colby, Berwick, and Arnold are mostly complete.
2. Tennis & Pickleball Courts (DT)
Council President Tozzi stated that the Borough set money aside to complete the tennis and pickleball courts. He continued stating he just needed a motion to go ahead with the developer.

On a motion by Council President Tozzi, seconded by Councilman Fritzingler, Council moved to authorize the tennis and pickleball courts.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzingler, Patente

Nay: x
Absent: Agrawal, Armahizer
Abstain: x
Motion Carried: 4-0

3. September 11th Memorial Ceremony (DT)
Council President Tozzi announced that there would be a memorial at the Fire House on Thompson Street tomorrow from 8:30 to 9 am in honor of the remembrance of September 11th.
4. SomersetStrong 5K/10K (EC)
Administrator Colvin stated that SomersetStrong has requested to put up a banner across Somerset Street to advertise their upcoming 5K event at Duke Island Park on October 20th. They are requesting the banner be hung in early October.

On a motion by Council President Tozzi, seconded by Councilman Fritzingler, Council moved to authorize the SomersetStrong banner being displayed across Somerset Street.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzingler, Patente
Nay: x
Absent: Agrawal, Armahizer
Abstain: x
Motion Carried: 4-0

5. Remaining 2024 Meeting Dates (EC)
Administrator Colvin asked Council about the remaining Council Meeting dates, especially the dates in November as one of them falls during the annual League of Municipalities conference. Administrator Colvin suggested having two meetings in November and two meetings in December for any end-of-year business that needs to happen. He suggested meeting on November 12 and then the 26th. Mayor Carra announced to the public that the original November 19th meeting date will be moved to November 12th, adding November 26th and add a meeting on December 3rd. The meetings will be noticed and published on the website.
6. Fall Food Drive (EC)
Administrator Colvin stated that the PBA is looking to have a fall food drive to benefit local food pantries. They have requested having a bin in the lobby of Borough Hall for the duration of the food drive.

ORDINANCES – SECOND READING & PUBLIC HEARING

Ordinance No. 2024-14 An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey, amending Ordinance No. 2022-21

The purpose of this Ordinance is to amend the hours of operation of Valley Wellness to 8 a.m. to 10 p.m.

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

Neither seeing nor hearing any member of the public, the Mayor closed Public Comment on Ordinance No. 2024-14.

On a motion by Council President Tozzi, seconded by Councilman Fritzing, Council moved to Adopt Ordinance No. 2024-14.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzing, Patente

Nay: x

Absent: Agrawal, Armahizer

Abstain: x

Motion Carried: 4-0

Ordinance No. 2024-19

An Ordinance of the Borough of Raritan, Somerset County, New Jersey, amending and modifying Chapter 305, Solid Waste, Article II removal and disposition, section 305-4 proper care of the Code of the Borough of Raritan

The purpose of this Ordinance is to amend the Solid Waste Ordinance regarding mattresses and upholstered furniture

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

Neither seeing nor hearing any member of the public, the Mayor closed Public Comment on Ordinance No. 2024-19.

On a motion by Councilman Patente, seconded by Councilman Fritzing, Council moved to Adopt Ordinance No. 2024-19.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzing, Patente

Nay: x

Absent: Agrawal, Armahizer

Abstain: x

Motion Carried: 4-0

Ordinance No. 2024-20

An Ordinance of the Borough of Raritan, Somerset County, New Jersey, Authorizing the conveyance of Raritan Borough property known as parcels 23a, 23b and sa23c on a map entitled “New Jersey Department of Transportation, Route 202 (1953) section 3, old York Road to Route 28 parcels 23A, 23B & SA23C, Borough of Raritan, County of Somerset, May 2022” and also known as portions of Lot 1, Block 24 on the tax map of the Borough of Raritan

The purpose of this Ordinance is to convey properties to allow for the DOT project for the Route 202 jughandle expansion.

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

Neither seeing nor hearing any member of the public, the Mayor closed Public Comment on Ordinance No. 2024-20.

On a motion by Councilman Fritzinger, seconded by Council President Tozzi, Council moved to Adopt Ordinance No. 2024-20.

Recorded Vote

Yea: Tozzi, Fritzinger, Patente

Nay: x

Absent: Agrawal, Armahizer

Abstain: DiGraziano

Motion Carried: 3-0

ORDINANCES – INTRODUCTION

Ordinance No. 2024-21

Amending Chapter 45, “Personnel Policies” to add a new section, 18A, “Longevity/Severance” to the Borough Code of the Borough of Raritan, Somerset County, New Jersey

The purpose of this Ordinance is to create a severance policy for the Borough of Raritan.

On motion by Councilman Patente, without a second, the motion failed.

Ordinance No. 2024-22

Amending Chapter 82, Part 2, Article XI, Section 40 of the Code of the Borough of Raritan, to add backyards and side yards to the list of prohibited locations

The purpose of this to ban the parking of certain vehicles in yards.

On motion by Council President Tozzi, seconded by Councilman Fritzinger, Council moved to Introduce Ordinance No. 2024-22.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzinger

Nay: Patente

Absent: Agrawal, Armahizer

Abstain: x

Motion Carried: 3-1

Mayor Carra stated that the second reading and public hearing for Ordinance No. 2024-22 is set for September 24, 2024.

Ordinance No. 2024-23

Bond ordinance providing improvements to various roads, appropriating \$576,500 therefor and authorizing the issuance of \$247,000 bonds and notes to finance a portion of the costs thereof, authorized in and by the borough of Raritan, in the County of Somerset, New Jersey

The purpose of this Ordinance is to authorize the expenditure for Colby Ave., Berwick St., and Arnold Ave. road improvements.

On motion by Councilman Fritzing, seconded by Council President Tozzi, Council moved to Introduce Ordinance No. 2024-23.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzing, Patente

Nay: x

Absent: Agrawal, Armahizer

Abstain: x

Motion Carried: 4-0

Mayor Carra stated that the second reading and public hearing for Ordinance No. 2024-23 is set for September 24, 2024

CONSENT AGENDA

(Resolution No. 2024-09-155 through No. 2024-09-164)

Resolution No. 2024-09-155

Authorizing Execution of Closing Documents – Purchase of Block 3, Lot 22

Resolution No. 2024-09-156

Authorizing Professional Services Contract - ASK Community Planners, LLC

Resolution No. 2024-09-157

Appointing Acting Technical Assistant to the Construction Official

Resolution No. 2024-09-158

Reconfirming Appointment – Municipal Prosecutor

Resolution No. 2024-09-159

Reconfirming Appointment – Alternate Municipal Prosecutor

Resolution No. 2024-09-160

Authorizing Disposal of Surplus Equipment – DPW

Resolution No. 2024-09-161

Authorizing Grant Submission – ‘Local Arts Program’

Resolution No. 2024-09-162

Reconfirming Shared Services Position – Property Maintenance Officer

Resolution No. 2024-09-163

Requesting Approval – Establishing Dedication by Rider for Accumulated Absences Liability Trust Fund

Resolution No. 2024-09-164

Approving Contract – Ben Shaffer Recreation – Tennis & Pickleball

Mayor Carra asked Council if any of the resolutions needed to be pulled and voted on separately, to which no one replied.

On motion by Council President Tozzi, seconded by Councilman DiGraziano, Council moved to approve Resolution No. 2024-09-155 through Resolution No. 2024-09-164 – Consent Agenda.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzingler, Patente

Nay: x

Absent: Agrawal, Armahizer

Abstain: x

Motion Carried: 4-0

BILL LIST

Resolution No. 2024-09-165

Approving Bill List

Mayor Carra asked for a motion to approve the Bills List.

On motion by Councilman DiGraziano, seconded by Council President Tozzi, Council moved to approve Resolution No. 2024-09-165 – Approving Bills List.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzingler, Patente

Nay: x

Absent: Agrawal, Armahizer

Abstain: x

Motion Carried: 4-0

CERTIFICATION OF FUNDS

1. NCL Government Capital – 2022 Ford PD Lease Payment - \$15,708.54
2. Crossroads Paving – Crossroads Paving for Colby, Berwick & Arnold - \$164,891.54

Mayor Carra asked for a motion to approve the Certification of Funds together.

On a motion by Councilman Fritzingler, seconded by Councilman DiGraziano, Council moved to approve the Certification of Funds - 2022 Ford PD Lease Payment and Crossroads Paving for Colby, Berwick & Arnold.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzingler, Patente

Nay: x

Absent: Agrawal, Armahizer

Abstain: x

Motion Carried: 4-0

PUBLIC COMMENT

(In accordance with Section 29-1 of the Code of the Borough of Raritan, there shall be a five-minute limit per speaker)

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

Jim Foohey, 710 Rhine Blvd: Mr. Foohey stated that the microphones during public comment do not pick up the residents well as there is no microphone close to the audience except for the one on the recorder itself. He then mentioned that the Town Hall workshop idea should be a separate meeting, not tied to a regular Council meeting. If it was to happen during a regular meeting the meetings would be twice as long. Lastly, he added that regarding the jug handle, the state already had a plan and are aware that they are just moving the current problem.

Patrick Dinsmore, 523 Victoria St: Mr. Dinsmore commented that the Town Hall idea would benefit the Borough. He then made a comment that there is no liaison report for the Planning Board. He then added that the Redevelopment Advisory Committee meetings should be at a time when residents can attend.

Roger Copt, 1120 Rt 202: Mr. Copt started by stating that he noticed the Borough has many shared service agreements with other towns for such things like Court and the Rescue Squad, adding his opinion that there is not much still housed here in the Borough. He then voiced his concerns about the Developer not having financing for the redevelopment project and he suggested Council do their research.

Neither seeing nor hearing any additional members of the public, the Mayor closed Public Comment.

ADJOURNMENT

Mayor Carra asked for a motion to adjourn the Special Meeting.

On a motion by Councilman Patente, seconded by Council President Tozzi, Council moved to adjourn the Special Meeting.

Recorded Vote:

All in favor

Motion passed: 4-0

Special Meeting adjourned at 8:09 p.m.

Kimberly Mathewson
Acting Municipal Clerk

Approved:

Eric M. Colvin
Borough Administrator

Date: _____

Next Regular Council Meeting

Tuesday, September 24, 2024
6:30 p.m. – Executive Session
7 p.m. – Regular Session