

## MINUTES

### **BOROUGH OF RARITAN SPECIAL MEETING**

**TUESDAY, DECEMBER 17, 2024**

**6 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 6:00 p.m. on Tuesday, December 17, 2024

Mayor Carra announced the Special Meeting of the Governing Body 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 Agrawal, Councilman Armahizer, 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:

#### **INVOCATION AND FLAG SALUTE**

Council President Tozzi

#### **EXECUTIVE SESSION**

Resolution No. 2024-12-201

Entering Executive Session

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

On motion by Councilman Fritzingler, seconded by Councilman DiGraziano, Council moved to Approve Resolution No. 2024-12-201.

#### **Recorded Vote**

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente

Nay: x

Absent: x

Abstain: x

Motion Carried: 6-0

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 7:00 p.m.

**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.

Patrick Dinsmore, 523 Victoria St: Mr. Dinsmore asked Council if the Raritan Mall Litigation listed on the executive session was regarding the illegal occupancy or if this is regarding the pending lawsuit. Borough Attorney Robertson responded, stating there was no discussion during executive session however, the litigation is regarding the Raritan Mall filed a complaint against the Borough relating to the development plan. Mr. Dinsmore then inquired if the lawsuit had been served upon the Borough to which Mr. Robertson stated the matter is being handled by insurance counsel. Mr. Dinsmore then asked for an update regarding the occupancy issue with the mall. Mayor Carra responded, stating he believed they had met all the inspections with fire.

Chris Allen, 11 Granitz Pl: Mr. Allen stated that he had been in contact with the fire inspector and was told the inspector was waiting for Mr. Gara; it's not complete. He went on to state that the mall is still operating illegally.

Jeff King, 47 Vones Ln: Mr. King asked to read a letter from Jim Werner, a longtime member and current Vice President of the Seniors group. The letter started by stating the swearing in of the offices for the Senior group will no longer be done by the Mayor or a representative as it had in the past. Mr. Werner's letter stated that he had presented a new process for the swearing in to which the group has agreed to. The letter continued to address another issue, the Senior's group having their mail delivered to Borough Hall. Mr. Werner identified issues that the group had to deal with in the past which is why the mail did get delivered to the Borough. The Senior group previously had a PO Box however, the member who had the PO Box registered to their home address left the group and mail was never given to the proper members. The group had to pay \$6,000.00 in fines and penalties to the state due to not receiving renewal forms. The letter went on requesting to continue using the Borough's address for the Senior's group.

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

**MINUTES**

None

**COMMITTEE & LIAISON REPORTS**

Councilman Armahizer- Councilman Armahizer stated he had nothing to report.

Councilman Agrawal – Councilman Agrawal stated he had nothing to report.

Councilman DiGraziano – Councilman DiGraziano stated that Santa was at Frelinghuysen Park on the 14<sup>th</sup> and everything went well and the kids had a great time. He added a big thank you to

all those who helped make the event a success. The Councilman also stated that Recreation had a crafting event this past Sunday which was also a success.

Council President Tozzi – Council President Tozzi stated the tree lighting was a huge success. Santa was there, the JFK Choir also made an appearance. He went on to thank the sponsors who helped make the event such a great success. Council President added that this will be an annual event.

Councilman Fritzing- Councilman Fritzing reported the permit activity for the building department from November 22<sup>nd</sup> through December 16<sup>th</sup> included 10 building permits, 12 plumbing permits, 11 electrical, 10 fire, and 4 electrical permits issued; totaling \$12,796 in fees collected by the Borough. The Department of Public Works will continue leaf pick-up through next week and stated if you have not seen them, give DPW a call at (908) 725-1715. He also reported that the Borough’s winter equipment is ready to go when winter weather shows up. Councilman Fritzing added that DPW has begun a street audit and will rank the streets worst to best. He then added that the Historical Committee will be meeting tomorrow for a holiday party.

Councilman Patente- Councilman Patente reported the Courts received \$20,000.00 in fees/fines and \$10,000.00 of that goes to the Borough. He then reported for the Board of Health, the month of November the Borough received \$1,030.00 with most of that being for food establishments who have to pay an inspection fee. The Councilman added that the Borough has renewed the contract with Somerset County. Somerset County handles most of the work for the Board of Health such as inspections and things like that. Councilman Patente also stated that if you are going to be licensing your dog or get your pet vaccinated, they may have a little incentive for you; you will have to go and find out what it is. Lastly the Councilman added that he wanted to thank everyone involved with the tree lighting and the Santa event.

Mayor Carra- Mayor Carra wanted to note that on November 5<sup>th</sup> Congressman Tom Kean read into the Congressional Record Commemorating John Basilone’s birthday. The Basilone family asked me to share that Tom Kane will be coming to the Basilone Statue this upcoming Monday at 10:00 a.m. to read the Congressional Record statement. Mayor Carra also wanted to remind residents that Senator Doug Steinhardt, Assemblyman John DiMaio, and Assemblyman Erik Peterson will be hosting a Town Hall here at the Municipal Building on Wednesday, January 29<sup>th</sup>, 2025 at 6:30 p.m. He is not sure which will be in attendance but it’s to discuss the issues with NJ Transit in town as well as any other state issues any resident would like to discuss. Mayor Carra also added that regarding the drones, he had a phone call with the White House staff and other mayors in the state and they stated there is no threat to public safety. If you see anything, report it to the FBI.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### 1. Annual Reorganization Date & Time (NC)

Mayor Carra stated that the Borough’s typical meeting dates are the first and third Tuesdays of the month which would make the first meeting of 2025, January 7<sup>th</sup>. That is the absolute last day that we can have re-organization meeting according to the State law. He added that there would be no executive session and asked Council if they wanted to

move the time up to 6:00 p.m. Council agreed that the 2025 re-organization meeting will be scheduled for January 7<sup>th</sup>, 2025 at 6:00 p.m. which will also be advertised for the public. Councilman Patente asked the mayor if he wanted to advise the public about executive sessions moving forward to which the Mayor announced that starting in 2025, Executive Sessions will be held in the conference room. This will allow the public, who would like to attend a Council meeting, to sit in the court room and not having to wait in the hallway.

2. Bulk Collection (DF)

Mayor Carra announced that this item will be held until next year as Public Works would like to speak with Council before it comes to the public.

3. Borough Hall Mail (EC)

Mr. Colvin stated that as we heard previously the Seniors would like to continue having their mail sent to Borough Hall. Mr. Colvin stated that he is looking for the Council's involvement with what direction they want to go being that the Senior group is a private group organization. He added that recently we had to stop the Basilone Parade Committee's mail from coming to the Borough; they are also a private organization. After evaluating what goes on within Borough Hall, seeing mail come to Borough Hall and be sorted by employees, it is taxpayers' money paying the salaries of the employees sorting mail for a group that is not a Borough Organization. Mr. Colvin stressed that this is strictly a procedural issue and that he is responsible for bringing it to the Council's attention. Councilman Patente suggested that if changes need to be made for an organization there should be a letter and explanation of why a change is being made as not to ostracize them or make them feel unsupported. Discussion ensued about the Senior group amongst Council. Borough Attorney Robertson stated that having a motion formally memorializing that there will no longer be providing delivery services at Borough Hall for any non-Borough entity.

On motion by Council President Tozzi, seconded by Councilman Fritzingler, Council moved to Approve that there will no longer be providing delivery services at Borough Hall for any non-Borough entity.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente

Nay: x

Absent: x

Abstain: x

Motion Carried: 6-0

**ORDINANCES – SECOND READING & PUBLIC HEARING**

Ordinance No. 2024-26

An Ordinance of the Borough of Raritan, County of Somerset, New Jersey, approving the Financial Agreement for Tax Exemption of Raritan Mall Urban Renewal LLC for the Redevelopment of Block 116.01, Lot 11.01 (the "Redevelopment Area") in Accordance

with the Long-Term Tax Exemption Law,  
N.J.S.A. 40A:20-1 et seq. (the “LTTE”)

The purpose of this Ordinance is to approve  
the Financial Agreement for Tax Exemption  
for the redevelopment of the site of the  
former Raritan Mall.

Mayor Carra opened the Public Hearing portion of the meeting for members of the public wishing to speak on Ordinance No. 2024-26.

Patrick Dinsmore, 523 Victoria St: Mr. Dinsmore asked if this Ordinance was properly noticed. Acting Borough Clerk Mathewson responded stating the Ordinance was noticed twice as there was a typo on the initial notice. He then went on to ask if anyone had any names and/or addresses for other developments this property owner has developed. Mr. Dinsmore expressed his frustrations with Council agreeing to this.

Casey Kittel, 977 First Ave: Ms. Kittle voiced her concerns about the tax abatement and how the burden gets put onto the Borough. She also stated that she would want reassurance of adequate management of the new development.

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

On motion by Council President Tozzi, seconded by Councilman DiGraziano, Council moved to Adopt Ordinance No. 2024-26.

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzingher

Nay: Agrawal, Armahizer

Absent: x

Abstain: Patente

Motion Carried: 3-2-1

**ORDINANCES – INTRODUCTION**

None

**CONSENT AGENDA**

*(Resolution No. 2024-12-202 through No. 2024-12-213)*

Resolution No. 2024-12-202

Awarding Professional Services Contract –  
Elevator Services

Resolution No. 2024-12-203

Awarding Professional Services Contract –  
Animal Control Solutions

Resolution No. 2024-12-204

Awarding Professional Services Contract –  
CGP&H

Resolution No. 2024-12-205

Authorizing the Purchase of Police Vehicles

Resolution No. 2024-12-206

Cancelling Open Capital Balances

Resolution No. 2024-12-207

Awarding Professional Services Contract –  
KRS IT

Resolution No. 2024-12-208	Approving Hire – DPW Laborer
Resolution No. 2024-12-209	Awarding Professional Service Contract – Bruno Associates, Inc
Resolution No. 2024-12-210	Approving Continued Participation – Municipal Alliance
Resolution No. 2024-12-211	Approving Bicycle Donation – RideWise, Inc.
Resolution No. 2024-12-212	Authorizing Appropriations to Cover Debt Service Requirements from January 1, 2025 to December 31, 2025
Resolution No. 2024-12-213	Approving Financial Agreement – Raritan Mall

Councilman Agrawal and Councilman Patente asked to pull Resolution No. 2024-12-202, Resolution No. 2024-12-204, Resolution No. 2024-12-205, Resolution No. 2024-12-207, Resolution No. 2024-12-209, Resolution No. 2024-12-211, Resolution No. 2024-12-212, and Resolution No. 2024-12-213 to be voted on separately.

On a motion by Councilman Patente, seconded by Councilman Agrawal, Council moved to Approve Resolution No. 2024-12-203, Resolution No. 2024-12-206, Resolution No. 2024-12-208 and Resolution No. 2024-12-10– Consent Agenda, excluding Resolution No. 2024-12-202, Resolution No. 2024-12-204, Resolution No. 2024-12-205, Resolution No. 2024-12-207, Resolution No. 2024-12-209, Resolution No. 2024-12-211, Resolution No. 2024-12-212, and Resolution No. 2024-12-213.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente

Nay: x

Absent: x

Abstain: x

Motion Carried: 6-0

Mayor Carra opened up discussion regarding Resolution No. 2024-202 - Awarding Professional Services Contract – Elevator Services. Councilman Patente asked for more clarification regarding the resolution and what the 95% represents. Mayor Carra stated that the resolution is for elevator maintenance, and Borough Administrator Colvin would get an answer regarding the 95%. Mayor Carra then stated the resolution will be tabled until next year.

Councilman Patente then asked about Resolution No. 2024-204 - Awarding Professional Services Contract – CGP&H. He wanted to clarify that this resolution is for the rehabilitation company but asked who pays the fees listed in the contract. Mayor Cara responded, stating the fees are paid out of the Affordable Housing Trust. Councilman Agrawal added that he wanted to make sure the public is aware of what is being approved. The Councilman went on to explain that the CGPH is about \$450.00 per month. The Councilman then went on to ask Eric for clarification regarding the Bills List; there is a charge for CGPH and then one identified as Affordable Housing management. Mr. Colvin stated that he would get more clarification for the Councilman however it was short notice during the meeting. The Councilman stated that he was okay with approving the resolution and just wanted the public to know what is getting approved.

On a motion by Councilman Agrawal, seconded by Councilman Patente, Council moved to Approve Resolution No. 2024-12-204- Awarding Professional Services Contract – CGP&H.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente  
Nay: x  
Absent: x  
Abstain: x  
Motion Carried: 6-0

Councilman Patente stated that he asked for Resolution No. 2024-205 to be pulled to ask if it is normal for the Borough to buy new cars and if they have been budgeted for. Mr. Colvin stated that the vehicles were budgeted for and approved in this year's budget.

On a motion by Council President Tozzi, seconded by Councilman Fritzingler, Council moved to Approve Resolution No. 2024-12-205- Authorizing the Purchase of Police Vehicles.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente  
Nay: x  
Absent: x  
Abstain: x  
Motion Carried: 6-0

Councilman Agrawal stated that he had a few comments and questions. He went on to explain that KRS IT is the company that manages our IT system, and they have a yearly contract with the Borough. He added that the contract is a \$60,000.00 a year contract. The Councilman then asked Administrator Colvin if this contract will cover the Borough's move into 9 West Somerset Street such as servers and installation. Mr. Colvin responded saying the Borough plans to use DPW to move the equipment once we are able to move buildings but yes it would be a separate contract. Mr. Colvin added that for comparison's sake, our Borough has a lesser rate than some neighboring towns. KRS keeps us safe, and we haven't had any issues with them thus far. Discussion ensued regarding price and previous IT contracts. The Councilman stated that he was okay to approve the resolution.

On a motion by Councilman Agrawal, seconded by Councilman Patente, Council moved to Approve Resolution No. 2024-12-207- Awarding Professional Services Contract – KRS IT.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente  
Nay: x  
Absent: x  
Abstain: x  
Motion Carried: 6-0

Councilman Agrawal wanted to educate the public on this resolution. Bruno Associates was hired to do our grant applications, and they have done a great job. In ten/eleven months we paid

them \$36,000.00 and one grant that we received was in the amount of \$66,000.00. Councilman Patente asked if the Borough was a part of the application process and if it would be beneficial to have some of our employees get trained and submit the applications. Administrator Colvin stated that they have been a pleasure to work with and are very knowledgeable about the types of grants that our town is able to apply for. Discussion ensued between Council about the benefits Bruno Associates have been able to provide to the Borough.

On a motion by Councilman Patente, seconded by Councilman Agrawal, Council moved to Approve Resolution No. 2024-12-209- Awarding Professional Service Contract – Bruno Associates, Inc.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente

Nay: x

Absent: x

Abstain: x

Motion Carried: 6-0

Councilman Patente asked for more details regarding Resolution No. 2024-211- Approving Bicycle Donation – RideWise, Inc. Council President Tozzi stated that the Police Department has many bikes that they recover and keep in a storage trailer. They are looking to empty the trailer and give them to Ride Wise. Ride Wise then gives them to Pop’s Bike Shop in Somerville who fixes them for free so Ride Wise can then donate the bikes to people in need.

On a motion by Councilman Patente, seconded by Council President Tozzi, Council moved to Approve Resolution No. 2024-12-211- Approving Bicycle Donation – RideWise, Inc.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente

Nay: x

Absent: x

Abstain: x

Motion Carried: 6-0

Councilman Agrawal asked of clarification of Resolution No. 2024-212- Authorizing Appropriations to Cover Debt Service Requirements from January 1, 2025 to December 31, 2025. Administrator Colvin responded stating this is our current debt service and it’s an annual payment that needs to be paid prior to re-org. This resolution is authorizing the payment we have already committed to. Councilman Patente asked what the impact is on the resident’s taxes to which Mayor Carra responded stated it would depend on the budget. Discussion ensued amongst Council.

On a motion by Councilman Patente, seconded by Councilman Fritzingler, Council moved to Approve Resolution No. 2024-12-212- Authorizing Appropriations to Cover Debt Service Requirements from January 1, 2025 to December 31, 2025.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente

Nay: x  
Absent: x  
Abstain: x  
Motion Carried: 6-0

Councilman Patente requested this resolution be pulled because he will not be voting on it. Councilman Agrawal asked for more clarification on what this resolution is. Borough Attorney Robertson responded, stating this redevelopment agreement includes a list of contingencies that are related to the redevelopment plan such as the developer has to get all necessary required approvals. Mr. Robertson went on to explain in details other contingencies specified in the plan.

On a motion by Council President Tozzi, seconded by Councilman DiGraziano, Council moved to Approve Resolution No. 2024-12-213- Approving Financial Agreement – Raritan Mall

Recorded Vote

Yea: Tozzi, DiGraziano, Fritzingler,  
Nay: Agrawal, Armahizer  
Absent: x  
Abstain: Patente  
Motion Carried: 3-2-1

**BILL LIST**

Resolution No. 2024-12-214                      Approving Bill List

Councilman Agrawal wanted to make a comment about Van Cleef Engineering charges. He stated there needs to be more clarity on what is included in the retainer. Discussion ensued between the Councilman, Borough Attorney Robertson and Borough Engineer Brosnan regarding additional charges to the Borough and what is included in the scope of the retainer.

On a motion by Councilman Fritzingler, seconded by Councilman Agrawal, Council moved to Approve Resolution No. 2024-12-214 - Approving Bill List.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler  
Nay: x  
Absent: x  
Abstain: Patente  
Motion Carried: 5-0-1

**CERTIFICATION OF FUNDS**

1. Relief Hose Company – 2024 Clothing Allowance - \$12,415.50
2. Relief Hose Company – 2024 Firehouse Rent - \$17,000.00
3. Pharos Enterprises LLC – 9 West Somerset St. Renovations - \$241,193.68
4. Pumping Services Inc. – 2024 Pump Station Maintenance - \$10,394.12

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

On a motion by Councilman Agrawal, seconded by Council President Tozzi, Council moved to

Approve the Certification of Funds –2024 Clothing Allowance, 2024 Firehouse Rent, 9 West Somerset St. Renovations, 2024 Pump Station Maintenance.

Recorded Vote

Yea: Tozzi, Agrawal, Armahizer, DiGraziano, Fritzingler, Patente

Nay: x

Absent: x

Abstain: x

Motion Carried: 6-0

**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 Public Comment portion of the meeting for members of the public wishing to speak.

Joyce Melitsky, 43 Gaston Ave: Ms. Melitsky stated that the tree lighting was a great event. The Seniors were able to decorate bows at their holiday party that were then displayed at the tree lighting. Adding that she is very proud to be a resident of Raritan Borough. She then brought up a concern she had about the allocation of funds for the Senior group from the Borough. Ms. Melitsky understands about the issue with the mail but wanted to ask Council to continue to consider donating to the Seniors group in the future.

John Murphy, 1008 Tysley Pl: Mr. Murphy had a question about the PILOT program and if it is possible to designate portions of that payment to be paid to the Board of Education. Mayor Carra stated that some towns do a negotiation with the school district to share some of those funds. That decision would be up to Council. Mr. Murphy then added that it is disconcerting hearing the lack of communication amongst Council. He went on to state that he has reached out to the Administrator and the Clerk with numerous questions and has gotten very timely responses.

Chris Allen, 11 Granitz Pl: Mr. Allen asked for clarification regarding an October 30<sup>th</sup> remediation report that Mr. Dimentman attested that there were no occupants in the building. Mr. Allen asked for understanding how he can attest to there being no occupants when that is false. He went on to express his frustration with the lack of answers from Council.

Patrick Dinsmore, 523 Victoria St: Mr. Dinsmore shared his appreciation for pulling out resolutions for clarity. It helps the residents understand what is being paid for. He went on to thank Council and Recreation for hosting the tree lighting. Adding a thank you to the Clerk's Office for updating the minutes on the website stating he was still waiting on the Redevelopment Advisory Committee minutes that he submitted an OPRA for. Mr. Dinsmore then inquired about EZ Deal and the B 2 Zoning; he went on to state that he looked into the B 1 Zoning and that does not specify in-person retail or online and suggested that get looked into.

John Roglieri, 34 Vones Ln: Mr. Roglieri stated that he used to own property on Third Street; where there is a development now. He stated that he was at first excited for the PILOT program for that property; supposed to bring in \$700,000.00 based on the number of units that were developed. He wanted to express his concerns about actually collecting the money for the 30-year deal. He went on to inquire about the PILOT program for the mall property and how much that is

expected to bring into the Borough over the 30-year period. Council confirmed the expected amount is 36 million; currently making 140,000 a year in the Borough's portion of the property taxes. Mr. Roglieri the inquired about how that money gets spent? Mayor Carra stated that the money could be used for bonding projects. Mr. Roglieri went onto express his frustrations with taxes going up every year regardless. Discussion ensued about how tax money is spent and the difference between the school tax and the Borough tax.

Jeff King, 47 Vones Ln: Mr. King inquired about the Town Hall with the State Representatives and if that meeting would be open to the Public. Mayor Carra confirmed, yes that meeting would be open to the Public and stated again that it would be held at the Municipal building in the Community Room. Adding that it is posted on the Borough's website and the Borough calendar. Mayor Carra then added that he was unsure if the State Representatives will be at the statute on Monday for the reading he mentioned earlier.

Neither seeing nor hearing any other member 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 Fritzing, seconded by Councilman Patente, Council moved to Adjourn the Regular Meeting.

Recorded Vote:

All in favor

Motion passed: 6-0

The Regular Meeting adjourned at 8:34 p.m.

\_\_\_\_\_  
Kimberly Mathewson  
Acting Municipal Clerk

Approved: \_\_\_\_\_  
Eric M. Colvin  
Borough Administrator

Date: \_\_\_\_\_