

This Regular Meeting of the Borough of Raritan Governing Body was called to order by Mayor Charles McMullin in the Meeting Room of the Raritan Municipal Building, 22 First Street, Raritan, NJ 08869 at 6:30 p.m. on Tuesday, April 24, 2018.

The Mayor announced this Regular Meeting was called pursuant to applicable portions of the Open Public Meetings Act. Adequate Notice was communicated to *The Courier News* and *The Star Ledger* on January 2, 2018, 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, Councilman Carra, Councilman Giraldi, Councilman McGinley, Councilman Orozco, Council President Tozzi

Also Present: Borough Attorney Rizzo, Borough Administrator Jaxel, Borough Clerk Colvin, Borough Engineer Stan Schrek

Absent: None

* Councilman Bray entered at 6:39 p.m.

INVOCATION AND FLAG SALUTE

Councilman Giraldi

EXECUTIVE SESSION

Resolution No. 2018-04-073

Executive Session

1. Personnel
Public Works
2. Contract Negotiations
Library Lease

On a motion by Councilman Giraldi, seconded by Councilman Tozzi, Council moved to Approve Resolution No. 2018-04-073.

Recorded Vote

Yea: Carra, Giraldi, McGinley, Orozco, Tozzi

Nay: x

Abstain: x

Motion Carried: 5-0

Council convened in Executive Session at 6:34 p.m. * Councilman Bray entered at 6:39 p.m.

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

Recorded Vote

All in Favor

Motion Carried: 6-0

Council exited Executive Session and resumed Regular Session at 7:04 p.m.

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

Former Mayor JoAnn Liptak, 4 West Somerset Street – Former Mayor Liptak informed Mayor and Council that, in 1976, when the country was celebrating its bicentennial, the Borough of Raritan planted a red oak tree. During the last 42 years, that tree has continued to grow and has become a problem, Ms. Liptak said, adding she has cut many of the limbs, which intrude onto her property, many times over the years and this has costed her hundreds of dollars each time.

There has been damage to her home and roof, Ms. Liptak said.

The last time an arborist looked at the tree, Ms. Liptak said, he became concerned about the health of the tree, adding if the tree were to fall, telephone wires and poles, vehicles, pedestrians and private homes and businesses could be severely impacted.

Former Mayor Liptak said, in light of the Borough recently removing trees on Second Street, near St. Ann’s Church, she would like for the Borough to either top or take down the tree it planted.

Councilman Giraldi said someone should examine the tree, adding the law in the State of New Jersey states, when a healthy tree falls on someone’s property it the responsibility of that property owner.

Ms. Liptak said she is aware of the law, but that she was told by an arborist that the tree is not healthy close to the trunk.

Victoria Malfitano, 1018 Arnold Avenue – Ms. Malfitano said there is an industrial vacuum in a building behind her home that is making a lot of noise and questioned whether a variance, permit or CO was issued.

Ms. Malfitano said there was a sound test and the noise was within the standards, but her home is unlivable when the noise is happening, adding she has been there for 33 years and is entitled to peace and quiet in her home.

Mayor McMullin said the Borough engineer, code enforcement officer and construction official are all currently examining the situation. The Mayor said there was a meeting with the owner, who agreed to make improvements, adding the Borough will push for more if the remediation efforts of the owner are not satisfactory.

Councilman Orozco asked about the sound test. Mayor McMullin said the County Health Department performed the sound testing, which came in just under the maximum allowed by state law.

Attorney Rizzo said there is an ordinance on for tonight regarding a portion of the noise and he would like to review the entire noise ordinance with Engineer Schrek.

Seeing and hearing no additional members of the Public, Mayor McMullin closed this Public Comment portion of the meeting.

PROCLAMATION

Proclamation

Affirming Commitment To And Supporting Objective Of The Borough of Raritan Green Team

WHEREAS, the Borough of Raritan Environmental Commission adopted a resolution, “Pursue Sustainable Jersey Certification” at a Regular Meeting conducted on February 15, 2018; and

WHEREAS, the Raritan Borough Environmental Commission resolved in that resolution that they wish to pursue local initiatives and actions that would lead to Sustainable Jersey Municipal Certification; and

WHEREAS, the Raritan Borough Environmental Commission further adopted a resolution, "Creation of the Raritan Borough Green Team" at a Regular Meeting conducted on March 15, 2018 to create the Raritan Borough Green Team, to serve as the Borough of Raritan’s agents for the Sustainable Jersey municipal certification process; and

WHEREAS, the Green Team is composed of individuals who are interested in advancing the efforts of Raritan Borough in the Sustainable Jersey Municipal Certification Program; and

WHEREAS, that group has the objective of creating and cataloging significant sustainability actions so that Borough of Raritan may pursue Sustainable Jersey certification at the Bronze Level in 2018

NOW, THEREFORE BE IT RESOLVED, that I, Charles McMullin, Mayor of the Borough of Raritan, County of Somerset, State of New Jersey, and on behalf of the entire Governing Body and the people of Raritan, hereby declare that:

1. The Green Team of Borough of Raritan is active in the community and advancing sustainable practices and actions included in the Sustainable Jersey municipal certification program.
2. The Green Team has been and shall continue to be composed of individuals who have demonstrated interest in advancing the efforts of the Borough of Raritan to pursue certification through the Sustainable Jersey municipal certification program.
3. The role of the Green Team has been and shall continue to be to lead and coordinate sustainability activities of the community.

IN WITNESS WHEREOF, I have hereunto set my
Hand and Affixed the Seal of the Borough of Raritan
This 24th Day of April, in the year of our Lord
Two Thousand and Eighteen.

Attest:

ERIC M. COLVIN
BOROUGH CLERK

CHARLES MCMULLIN
MAYOR

APPROVAL OF MINUTES

1. April 10, 2018 – Executive Session
2. April 10, 2018 – Regular Session

On a motion by Council President Tozzi, seconded by Councilman Bray, Council moved to Approve the Executive and Regular Minutes of April 10, 2018.

Recorded Vote

Yea: Bray, Carra, Giraldi, Orozco, Tozzi

Nay: x

Abstain: McGinley

Motion Carried: 5-0

WORK SESSION

1. Codification of Chapter 229 Noise (CM)
Mayor McMullin said, when it was updated in 2017, a portion of the noise ordinance was inadvertently left out of the final draft. The ordinance on for introduction tonight, the Mayor said, inserts that missing piece.

2. Regional Center Partnership Challenge Grants (CM)
Mayor McMullin said the Borough received a grant for safety studies on Somerset Street. There is a new initiative, to have an art/beautification element to the project, the Mayor said, adding Engineer Schrek and the Historical and Cultural Committee will meet to go over the guidelines May 1. There will be a report back to the Governing Body.

3. Snow Emergency Parking Fines (CM)
Mayor McMullin said not all residents moved their vehicles during snowstorms this winter, adding the police department issued between 80 and 140 tickets per storm during the last few storms. There is a need to increase the fine to encourage people to remove their vehicles from the roadways. All parties agreed to raise the fine to \$50.00 per incident.

4. Obstacle Course Rental for 70th Anniversary Event (DJ)
Attorney Rizzo said Events Coordinator Schulte provided two contracts from potential vendors who wish to supply a course rental the May 5 event. However, Attorney Rizzo said he could not come to terms with either company regarding certain language in the contracts, such as payment prior to the event and refusal to indemnify the Borough.

5. Dog Waste Receptacles (NC)
Councilman Carra said the Board of Health would like to have dog waste receptacles installed and have the Department of Public Works do the installation.
Councilman Bray said this issue came up last year and Public Works Acting Superintendent Fulminante did not have an issue with his men doing the installation and maintenance.
Mayor McMullin suggested looking into purchasing in conjunction with Somerset County for a better price, which would also allow the bags to be placed in more locations in the Borough.

ORDINANCE – SECOND READING & PUBLIC HEARING

Ordinance No. 2018-03	An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey Establishing A Cap Bank
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Mayor McMullin opened the Public Hearing portion of the meeting to any members of the Public wishing to heard concerning Ordinance No. 2018-03.

Seeing and hearing no members of the Public, the Mayor closed the Public Hearing.

On motion by Councilman McGinley, seconded by Councilman Carra, Council moved to Adopt Ordinance No. 2018-03.

Recorded Vote:

Yea: Bray, Carra, Giraldi, McGinley, Orozco, Tozzi

Nay: x

Abstain: x

Motion Passed: 6-0

ORDINANCE – INTRODUCTION

Ordinance No. 2018-04

An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey Amending Chapter 253 – Peddling and Soliciting

Mayor McMullin said this ordinance addresses the white plastic bags containing advertisements that are thrown around the Borough from vehicles.

On motion by Councilman Orozco, seconded by Councilman McGinley, Council moved to Introduce Ordinance No. 2018-04.

Recorded Vote:

Yea: Bray, Carra, Giraldi, McGinley, Orozco, Tozzi

Nay: x

Abstain: x

Motion Passed: 6-0

PUBLIC HEARING & FINAL READING – 2018 MUNICIPAL BUDGET

Resolution No. 2018-04-074

Adopting 2018 Municipal Budget

On motion by Councilman Carra, seconded by Councilman McGinley, Council moved to Adopt the 2018 Municipal Budget – Resolution No. 2018-04-074.

Mayor McMullin said the 2018 Municipal Budget is less than \$1,000 more than it was in 2017, the county rates did not increase, but residents will experience an increase in taxes as a result of the school budget being increased by four percent.

The Mayor then opened the floor to members of the Public wishing to speak in a Public Hearing on the 2018 Municipal Budget. Seeing and hearing no member of the Public, the Mayor closed the Public Hearing.

Recorded Vote:

Yea: Bray, Carra, Giraldi, McGinley, Orozco, Tozzi

Nay: x

Abstain: x

Motion Passed: 6-0

CONSENT AGENDA

Resolution No. 2018-04-075	Authorizing Execution of Agreement between NJ State PBA Local #82 and the Borough of Raritan
Resolution No. 2018-04-076	Authorizing Redemption of Tax Sale Lien – Block 96, Lot 1
Resolution No. 2018-04-077	Approving Application – Ice Cream Truck
Resolution No. 2018-04-078	Hiring Two, Season Workers – Department of Public Works

On motion by Council President Tozzi, seconded by Councilman Bray, Council moved to Approve the Consent Agenda.

Recorded Vote:

Yea: Bray, Carra, Giraldi, McGinley, Orozco, Tozzi
Nay: x
Abstain: x
Motion Passed: 6-0

BILL LIST

Resolution No. 2018-04-079 Adopting Bill List

PURCHASE ORDER REQUESTS

1. Recreation – York Fence – Baseball Backstop – \$6,985.00

On motion by Council President Tozzi, seconded by Councilman Orozco, Council moved to Approve the Purchase Order listed above.

Recorded Vote:

Yea: Bray, Carra, Giraldi, McGinley, Orozco, Tozzi
Nay: x
Abstain: x
Motion Passed: 6-0

OLD BUSINESS

None

COMMITTEE AND LIAISON REPORTS

Councilman Orozco – Councilman Orozco reported that there was a fire last weekend, everyone was unharmed, but the family is currently displaced. JFK School parents are working to assist the family and anyone who would like to help should contact him, the Councilman said.

Councilman Carra – Councilman Carra said the Planning Board will meet tomorrow at 7 p.m. in Borough Hall and added the 2018 Municipal Budget passed during the meeting this evening.

Councilman McGinley – Councilman McGinley said he had nothing to report at this time.

Council President Tozzi – Council President Tozzi reminded everyone that Raritan’s 70th Birthday Party will take place next Saturday, May 5 from 1 to 4 p.m. in Frelinghuysen Park.

Councilman Bray – Councilman Bray said he spoke with Acting Superintendent of Public Works Robert Fulminante, who suggested the Borough close Sherman Avenue all the way down to Victoria Street, not just to Southwick Street. All parties agreed. Also, the Councilman suggested putting flyers around town.

Councilman Bray said the Historical and Cultural Committee is looking forward to participating in the 70th Birthday Party. The Committee would also like to paint benches on Somerset Street seasonally.

The Councilman said Little League is up and running – there are four teams. The pool management company will be sending a crew to preopen both pools in the Borough.

Councilman Giraldi – Councilman Giraldi said the Environmental Commission will be giving away seedlings at the 70th Birthday Party on May 5. Also, the Councilman said the Basilone Committee is scheduled to meet tomorrow night in Borough Hall.

Mayor McMullin – The Mayor said the Borough received a congratulatory letter from the Somerset County Freeholders for being in the top 25 percent of the Best Places to Live in New Jersey.

Secondly, the Mayor said he attended a robotic competition with the Mayor of Bridgewater at the high school. Mayor McMullin said he was extremely impressed by the students and those from around the Tri-State Area. The Mayor encouraged all students to participate.

PUBLIC COMMENT

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

Seeing and hearing no member of the Public, the Mayor closed this Public Comment portion of the meeting.

ADJOURNMENT

On a motion by Councilman Bray, seconded by Councilman Carra, Council moved to Adjourn the Regular Meeting.

Recorded Vote

All in Favor

Motion Carried: 6-0

Regular Meeting adjourned at 7:46 p.m.

Eric M. Colvin, RMC, CMR
Borough Clerk

Approved: _____