

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, June 25, 2019.

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*, *The Star Ledger* and *The Breeze* on January 3, 2019, 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 Bray, Councilman Carra, Councilman Giraldi, Councilwoman Melitsky, Councilman Orozco, Council President Tozzi
Also Present: Borough Administrator Jaxel, Borough Attorney Robertson, Borough Engineer Robert Bogart *in for Engineer Schrek
Absent: Borough Clerk Colvin

INVOCATION AND FLAG SALUTE

Councilman Giraldi

EXECUTIVE SESSION

Resolution No. 2019-06-112

Executive Session

1. Attorney Client
Library, Medical Marijuana
2. Personnel
Municipal Court

Prior to entering Executive Session, Councilman Orozco questioned why the Medical Marijuana issue would be discussed in Executive Session rather than in Regular Session.

Attorney Robertson said the issue could be discussed in Regular Session and Mayor McMullin said someone requested the topic be discussed in Executive Session.

Councilman Giraldi said he spoke with Clerk Colvin and a decision was made to have the conversation in Executive Session, but the Councilman said he would not oppose the conversation being moved to Regular Session.

All members of Council were in agreement to discuss Medical Marijuana in Regular Session.

On a motion by Councilman Bray, seconded by Councilman Orozco, Council moved to Approve Resolution No. 2019-06-112.

Recorded Vote

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

Nay: x

Abstain: x

Motion Carried: 6-0

Council convened in Executive Session at 6:35 p.m.

EXECUTIVE SESSION ADJOURNMENT

On a motion by Councilman Bray, seconded by Council President Tozzi, 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 7:02 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 Public Comment for any member of the Public wishing to speak.

Sarah Trent, Middle Valley Partners, LLC.: Ms. Trent said she submitted a proposed Resolution to Attorney Robertson (regarding a medical marijuana facility) and asked Mayor and Council whether they had questions for her.

Attorney Robertson said the Resolution has been added to the Agenda. No questions were directed to Ms. Trent.

Neither seeing nor hearing any additional member of the Public, Mayor McMullin closed Public Comment.

APPROVAL OF MINUTES

1. June 11, 2019 – Executive Session
2. June 11, 2019 – Regular Session

On a motion by Councilman Giraldi, seconded by Councilman Orozco, Council moved to Approve the Executive Session and Regular Session Minutes of June 11, 2019.

Recorded Vote

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

Nay: x

Abstain: x

Motion Carried: 6-0

WORK SESSION

1. Borough Parks Follow Up (PO)

Councilman Orozco said he invited members of the Sports Committee to attend the meeting this evening: Coordinator Frank LoCascio, Melissa Harris and Joe Kempe.

The Councilman said more equipment is needed for the pools and asked Coordinator LoCascio to speak.

Coordinator LoCascio said he had a certified pool operator review the equipment and operation of the pools, adding an automated system would make operation more efficient.

Councilmen Giraldi and Tozzi asked what the cost would be and Coordinator LoCascio said he is waiting to receive an estimate. Councilman Orozco estimated \$5,000.00.

A conversation ensued between various members of Council regarding the status of the pools and whether it would be too late in the season to hire a company.

Mayor McMullin and Councilman Giraldi proposed an amount not to exceed \$8,000.00 to have the pools automated.

On a motion by Councilman Orozco, seconded by Councilman Bray, Council moved to Approve an Amount Not to Exceed \$8,000.00 to Automate the Pools.

Recorded Vote

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

Nay: x

Abstain: x

Motion Carried: 6-0

Councilman Orozco then asked about the status of the improvements to Elizabeth Avenue Park, adding he has inquired for months about the park.

Engineer Schrek was not present at the meeting – Mayor and Council were not certain about the status of the project.

Mayor McMullin asked Engineer Bogart to have the engineering firm provide Council with the specifics of the project and cost estimate for the next meeting.

2. Bocce Court (JM)

Councilwoman Melitsky said a resident expressed concern about the Bocce Court at Basilone Park. Councilman Orozco said the court is on the list of improvements needed at Borough parks.

Sports Coordinator LoCascio said a resident approached him regarding the court also, specifically that the area is not being mowed appropriately.

Council President Tozzi said Public Works would be made aware of the concerns.

3. Medical Marijuana (CM)

Attorney Robertson said a discussion happened at the last meeting regarding a proposal for a medical marijuana facility (alternative treatment center) by Middle Valley Partners, LLC.

Attorney Robertson said certain restrictions and conditions were added to a Resolution, especially that only medical marijuana is being supported and Planning Board approval is a condition.

Mayor McMullin said some members of the Planning Board are interested in a modification of the zoning ordinance to make such a facility a permitted use.

A conversation between the Mayor, Council and Attorney Robertson ensued about when the Planning Board should become involved and whether Council should wait for the opinion of the Board before acting.

Councilman Orozco asked if any member of Council objected to voting on the Resolution this evening – no member of Council said yes. Mayor McMullin said he believes there is general support from the Planning Board.

Sarah Trent, with Middle Valley Partners, LLC., said she will apply for a variance.

On a motion by Council President Tozzi, seconded by Councilman Orozco, Council moved to Approve Resolution 2019-120 – Supporting a Medical Marijuana Facility in Raritan Borough.

Recorded Vote

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

Nay: x

Abstain: x

Motion Carried: 6-0

4. Stop Signs at Intersection (DJ)

Administrator Jaxel said Wall Street, Church Street and Second Avenue – all at the intersection with First Street – do not have stop signs. The State reviewed those intersections in the past, Administrator Jaxel said.

Mayor McMullin suggested Councilman Giraldi speak with Police Chief Nolte, to which Councilman Giraldi said he would.

5. No Parking – Johnson Drive (DJ)

Administrator Jaxel said the Engineering Firm suggested no parking areas on Johnson Drive. Engineer Bogart suggested waiting until after the construction in the area has finished before making any changes to Johnson Drive.

Mayor and Council tabled the discussion.

6. Somerset Street Light Pole Painting (PG)

Councilman Giraldi said Public Works expressed concern about painting the poles. Councilman Orozco said Engineer Schrek said the change in color could be problematic. Councilman Giraldi suggested making the size smaller, perhaps not painting the whole pole red.

All parties were in agreement to paint the poles in a green that would not interfere with the current green for aesthetic purposes.

7. Economic Development Committee Website (ZB)

Councilman Bray said the Committee is ready to launch a business directory website and asked for Council's approval.

Mayor and Council provided verbal approval.

8. First Annual Discovering Raritan (ZB)

Councilman Bray said the Economic Development Committee has plans to close down a portion of Somerset Street on August 10 from 4 to 9 p.m. The Councilman asked for approval from Council, adding the Police Department and businesses have given their support.

On a motion by Council President Tozzi, seconded by Councilwoman Melitsky, Council moved to Endorse the First Annual Discovering Raritan Day.

Recorded Vote

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

Nay: x

Abstain: x
Motion Carried: 6-0

9. Appointment to Library Board of Trustees (CM)

Mayor McMullin said he would like to appoint Councilman Bray to serve as his designee on the Library Board of Trustees for the remainder of 2019.

Councilman Bray verbally accepted the appointment.

10. G-Suite (NC)

Councilman Carra said he will speak with County IT tomorrow and a contact with Google to finalize plans to switch the Borough email from Outlook to Google.

The Councilman said he has a quote for 61 users, which includes the Police Department. The amount, he said, is estimated to be \$4,500.00 per year (\$75 per user) and a one-time, migration fee of \$2,475.00.

Administrator Jaxel said he would find the money in the budget. Councilman Carra said he plans to implement later in the summer.

11. Community Garden (PO)

Councilman Orozco said he spoke with Borough Planner Angela Knowles about a Community Garden and a location is being investigated. Councilman Bray said he spoke with the County, which owns the proposed location. The County, Councilman Bray said, is willing to work with the Borough about the location, which is not being utilized.

SECOND READING & PUBLIC HEARING

Ordinance No. 2019-09

An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey Fixing and Determining the Salaries, Wages or Compensation to be paid to certain Officers and Employees of the Borough of Raritan

Mayor McMullin opened the Public Hearing on Ordinance No. 2019-09. Neither seeing nor hearing any member of the public, the Mayor closed the Public Hearing.

Mayor McMullin suggested removing the Library workers from the salary ordinance. Council was in agreement.

On a motion by Councilman Giraldi, seconded by Councilman Bray, Council moved to Adopt Ordinance No. 2019-09.

Recorded Vote

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

Nay: x

Abstain: x

Motion Carried: 6-0

ORDINANCE – INTRODUCTION

Ordinance No. 2019-10

An Ordinance of the Borough of Raritan, County of Somerset, State of New Jersey Amending and Supplementing Article II, Chapter 262 of the Borough Code Entitled “Nonresidential Property Code

On a motion by Councilman Bray, seconded by Councilman Giraldi, Council moved to Introduce Ordinance No. 2019-10.

Councilman Orozco asked about a public hearing for business owners to attend and ask any questions they may have. Councilman Bray said he plans to have Property Maintenance Officer Mulcahy send a letter to business owners to inform them and invite them to attend the July 16 Council meeting with any questions or concerns.

A brief conversation ensued, during which Councilman Orozco said he does not feel the Borough is communicating directly enough with various business owners. Councilman Bray said part of the issue is that some of the business owners do not own the property where the business is located.

Recorded Vote:

Yea: Bray, Carra, Giraldi, Melitsky, Tozzi

Nay: Orozco

Abstain: x

Motion Passed: 5-1

CONSENT AGENDA

(Resolution Nos. 2019-06-113 through 2019-06-117)

Resolution No. 2019-06-113

Resolution No. 2019-06-114

Resolution No. 2019-06-115

Resolution No. 2019-06-116

Resolution No. 2019-06-117

Renewing 2019-2020 ABC Liquor Licenses

Establishing 2019 Salaries and Wages

Awarding Contract – Trash Hauling Tipping Fee

Refunding Unused Railroad Parking

Refunding Tax Overpayment

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

Recorded Vote:

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

Nay: x

Abstain: x

Motion Passed: 6-0

Mayor McMullin said a Resolution will be added to the Agenda. Councilwoman Melitsky presented Resolution No. 2019-06-119 – Hiring Part-Time, Seasonal Personnel to Assist the Municipal Court. The Councilwoman said the rate will be \$15 per hour for 15 hours per week.

On a motion by Councilwoman Melitsky, seconded by Councilman Carra, Council moved to Approve Resolution No. 2019-06-119 – Hiring Part-Time, Seasonal Personnel to Assist the Municipal Court.

Recorded Vote:

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

Nay: x

Abstain: x

Motion Passed: 6-0

BILL LIST

Resolution No. 2019-06-118

Approving Bill List

On a motion by Council President Tozzi, seconded by Councilman Giraldi, Council moved to Approve Resolution No. 2019-06-118 – Bill List.

Recorded Vote:

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

Nay: x

Abstain: x

Motion Passed: 6-0

PURCHASE ORDER REQUESTS

1. Police Department – Motorola Solutions, Inc. – Radios – \$142,195.08

Mayor McMullin explained the new radios are needed in order to communicate with County.

On a motion by Council President Tozzi, seconded by Councilman Giraldi, Council moved to Approve Purchase Order No. 1.

Recorded Vote:

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

Nay: x

Abstain: x

Motion Passed: 6-0

OLD BUSINESS

None

COMMITTEE AND LIAISON REPORTS

Councilman Orozco – Councilman Orozco said summer camps are in full swing and the pools are open. The Councilman said 75 children enrolled in baseball this year – up from 60 last year.

Councilman Carra – Councilman Carra said the Planning Board will meet tomorrow night at 7 p.m. and the Board of Health does not meet again until September.

Councilwoman Melitsky – Councilman Melitsky said the Building Department conducted 65 inspections and issued 19 certificates, adding Property Maintenance conducted 57 inspections, issued 49 notices of violation and 3 outstanding summons, which resulted in \$136.00 each.

Council President Tozzi – Council President Tozzi said the Basilone Committee will meet tomorrow night.

Councilman Bray – Councilman Bray said the Economic Development Committee will have its event August 10 from 4 to 9 p.m. on Somerset Street between Thompson and Nevius streets, adding 17 businesses are currently signed up. The Historical & Cultural Committee also met last week, the Councilman said, with much of the discussion having focused on the \$15,000.00 grant received. The Committee would like to have a mural on Main Street and some historical signs, the Councilman said. Also, Councilman Bray said he and Councilwoman Melitsky will attend an NJ DOT event next week. Lastly, the Councilman asked Administrator Jaxel and Councilman Orozco if Public Works could repair the tennis courts on Frelinghuysen.

Councilman Giraldi – Councilman Giraldi said the Environmental Commission met last week and the Basilone Committee will meet tomorrow.

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 Public Comment for any member of the Public wishing to be heard.

Adele Goetsch, Nevius Street: Mrs. Goetsch addressed the issue of repairing the parks and pools and suggested beginning with the most used parks and prioritizing from there. Mrs. Goetsch also said she believes it is time for business and property owners to be held accountable for the condition of their establishments.

Joe Kempe, 114 Sherman Avenue: Mr. Kempe said the Johnson Avenue parking situation might be more problematic if there were to be intermittent parking and suggested all or nothing is safer for cyclists.

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

REGULAR MEETING ADJOURNMENT

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

Recorded Vote:

All in Favor

Motion Passed: 6-0

Regular Meeting adjourned at 7:44 p.m.

Eric M. Colvin, RMC, QPA, CMR
Borough Clerk

Approved: _____