

**READINGTON TOWNSHIP COMMITTEE
MEETING – July 17, 2017**

Mayor Smith *calls the meeting to order at 6:30 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor B. Smith, Deputy Mayor B. Fort, Mr. J. Broten, Mrs. M.E. Duffy and Mr. S. Tropello

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan

ABSENT: None

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-6 *et seq.*, the Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee is of the opinion that such circumstances presently exist and desires to authorize the exclusion of the public from the portion of the meeting in accordance with the act;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the specified subject matter as set forth in the following Exhibit “A.”

EXHIBIT A

<u>Subject Matter</u>	<u>Basis Of Public Exclusion</u>	<u>Date Anticipated When Disclosed to Public</u>
Award of Road Reclamation 2017.....	Contract Negotiations....	Certain information at the discretion of the Township Tonight..... other information will remain confidential
Block 81, Lot 1.....	Contract Negotiations.....	“ “ “
Lorenzen (Block 44, p/o Lot 4.02)	Contract Negotiations.....	“ “ “
Executive Session Minutes.....	Attorney-Client Privilege.....	“ “ “
• July 5, 2017		
Affordable Housing.....	Potential Litigation.....	“ “ “
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6 & 8; Block 67, Lot 2 (Solberg Aviation).....	Litigation.....	“ “ “
388 Route 22 Readington Realty.....	Litigation.....	“ “ “
Holdings, LLC v. Twp of Readington		

It is anticipated at this time that the stated subject matter will be made public on or about the time set forth in Exhibit “A.”

2. This Resolution shall take effect immediately.

A **MOTION** was made by Mr. Broten to adopt this resolution, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:30 p.m.

Mayor Smith led those present in the *Salute to the Flag*.

Executive Session:

Contract Negotiations / Award of Road Reclamation 2017

A **MOTION** was made by Mr. Broten to award the 2017 Road Reclamation contract to Asphalt Paving Systems in the amount of \$280,800, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mrs. Fort	- Aye
Mr. Tropello	- Aye
Mayor Smith	- Aye

Contract Negotiations / Block 81, Lot 1

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Lorenzen (Block 44, p/o Lot 4.0

The following resolution was offered for consideration:

#R-2017-78

**TOWNSHIP OF READINGTON
COUNTY OF HUNTERDON**

WHEREAS, The Hunterdon County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Grants Program to provide County Funds in connection with preserving open space, natural areas, farmland and historic sites; to acquire, develop, improve and maintain county and municipal lands for recreation and conservation purposes; and preservation of historic structures, properties, facilities, sites, areas, or objects; or for the payment of debt service or indebtedness issued or incurred by the municipality for any of the purposes described above; and

WHEREAS, the Township of Readington desires to further the public interest by obtaining funding in the amount of not to exceed \$85,000 from the County of Hunterdon to fund the following project as follows:

*The Lorenzen property
Block 44, Lot 4.02 (a portion of) (22 acres) and Block 44, Lot. 4.03 (8.5 acres)*

Readington Township (Transco)	\$ 509,725
Readington Twp. (HC Open Space)	\$85,000 (not to exceed)
Total Project Cost (Approximately \$588,000)	

NOW, THEREFORE, the governing body resolves that Vita Mekovetz, Administrator / Township Clerk is hereby authorized to:

- make application for such County Open Space Trust Funds,
- provide additional application information and furnish such documents as may be required, and
- act as the authorized correspondent of the above named Municipality; and

Resolution #2017-78 cont'd:

WHEREAS, the County of Hunterdon shall determine if the application is complete and in conformance with the scope and intent of the Hunterdon County Open Space, Farmland and Historic Preservation Trust Fund Plan, applicable Freeholder Board Policies and the Procedures Manual for the Municipal Grant Program adopted thereto, and notify the Municipality of the amount of the funding award; and

WHEREAS, the Municipality is willing to use the County funds in accordance with such adopted Policies and Procedures, and applicable state and local government rules, regulations and statutes;

NOW, THEREFORE, BE IT FURTHER RESOLVED, BY THE Township of Readington

1. That the Township Clerk of the above named Municipality is hereby authorized to execute any documents and agreements with the County of Hunterdon known as ***Lorenzen***;
2. That the Municipality has its share of funds in the amount of \$509,725. (Transco funds);
3. That, in the event the County of Hunterdon's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project;
4. That the applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and
5. That this resolution shall take effect immediately.

A MOTION was made by Mrs. Duffy to adopt this resolution, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Broten	- Nay
Mrs. Duffy	- Aye
Mrs. Fort	- Aye
Mr. Tropello	- Aye
Mayor Smith	- Aye

A MOTION was made by Mrs. Fort to authorize Attorney Dragan to prepare a contract, seconded by Mrs. Duffy with a vote of ayes all, nays one (1.)

Attorney-Client Privilege / Executive Session Minutes / July 5, 2017

A MOTION was made by Mrs. Fort to approve the minutes for content only, seconded by Mr. Broten with a vote of ayes all, nays none recorded.

Potential Litigation / Affordable Housing

Mayor Smith stated that this matter remains in Executive Session.

Litigation / Solberg Aviation / Block 48, Lot 23; Block 55, Lot 33; Block 56, Lot 1, 3, 6 & 8; Block 39, Lot 24 and Block 67, Lot 2

Mayor Smith stated that this matter remains in Executive Session.

Litigation / 388 Route 22 Readington Realty Holdings, LLC vs. Twp. of Readington

Mayor Smith stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Smith read the following statement:

All items listed with an asterisk “*” are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

- * 1. **APPROVAL OF MINUTES** of the July 5, 2017 meeting
- * 2. ***Application for Special Events Permit / St. Elizabeth Ann Seton RC Church***
(September 10, 2017)
- * 3. ***Application for Special Events Permit / Three Bridges Volunteer Fire Company***
(August 12, 2017)
- * 4. ***Application for Special Events Permit / Signature Salon and Spa***
(September 10, 2017)
- * 5. ***Resolution to Award Contract for Playground Equipment and Installation to National Joint Powers Alliance*** (Little Tikes Commercial, Play Power LT Farmington, Inc. / Sports and Golf Solutions)

The following resolution was offered for consideration:

#R-2017-79

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the Township of Readington wishes to purchase playground equipment for Pickell Park to replace the 22 year old playground equipment, and

WHEREAS, N.J.S.A. 52:34-6.2(b)P.L.2011, c.139 was enacted into law permitting agencies to use national purchasing cooperatives; and

WHEREAS, on June 19, 2017 the Township Committee approved Resolution #R-2017-72 to join the NJPA (National Joint Powers Alliance) Member No. 21620; and

WHEREAS, the Township Committee wishes to continue its membership in said National Cooperative; and

WHEREAS, Little Tikes Commercial, PlayPower LT Farmington, Inc, 878 Highway 60, Monett, MO 65708 and Sports Golf Solutions, LLC, 4 Crest Hill Rd, Verona has been awarded NJPA Contract #030117-LTS for playground equipment and installation the period between April 14, 2017 and April 14, 2021; and

WHEREAS, the NJ State Contract price is \$9,598.32 higher than the coop price for equipment and installation; and

WHEREAS, purchasing through NJPA will save substantial time that would be needed to research, develop and review technical specifications on the Recreation Department, Purchasing Agent and Township Attorney; and

WHEREAS, purchasing through NJPA substantially expedites the procurement process, offers volume purchasing discounts and will provide assistance in the administration of the contract for this purchase; and

Resolution #R-2017-79 cont'd:

WHEREAS, as required the Notice of Intent to Award Contract under a National Cooperative Purchasing Agreement was published on June 27, 2017 and no objections have been received to date; and

WHEREAS, NJPA has reviewed the quote provided by Little Tikes Commercial and Sports and Golf Solutions, LLC through NJPA contract #030117-LTS and finds the pricing to be in compliance with the terms of the contract.

WHEREAS, the Chief Finance Officer has certified the availability of funds for this contract.

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Readington does hereby award the contract for a KidBuilders playground equipment for Pickell Park to PlayPower LT Farmington, Inc, 878 E. US Hwy 60, Monett, MO 65708 in the amount of \$46,281.81, and installation to Sports and Golf Solutions, LLC for \$22,300.00.

BE IT FURTHER RESOLVED that a copy of this Resolution and purchase orders for this award shall be forwarded to NJPA so the necessary order confirmation can be prepared by them and sent to the contractor as authorization to proceed.

- * 6. **Permit Refund (Block 88, Lot 8)**
- * 7. **Resolution Authorizing Alcoholic Beverage License Renewal for 2017-2018 (Kalli 2 LLC / Nik's Wunderbar)**

The following resolution was offered for consideration:

#R-2017-80

TOWNSHIP OF READINGTON

RESOLUTION AUTHORIZING ALCOHOLIC BEVERAGE LICENSE RENEWALS

BE IT RESOLVED, by the Township Committee of the Township of Readington that the following Readington Township Alcoholic Beverage License Renewals for 2017-2018 be approved:

PLENARY RETAIL CONSUMPTION:

<u>LICENSE NUMBER</u>	<u>LICENSE HOLDER</u>	<u>MUNICIPAL FEE</u>	<u>STATE FEE</u>
1022-33-009-008	Nik's Wunderbar	\$2,214.60	\$200.00

- * 8. **Payment of Bills** – (Complete bill list is on file in Clerk's Office)

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	7-01	\$ 524,726.35
SEWER APPROPRIATIONS	7-02	\$ 2,852.50
TRUST FUNDS	X-03	\$ 30,287.47
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 55,425.30
PAYROLL DEDUCTIONS	X-06	\$ 210,382.09
DUE TO STATE OF NJ	X-09	\$ 750.00
TOTAL OF ALL FUNDS		\$ 824,423.71

A **MOTION** was made by Mr. Broten to approve the *Consent Agenda*, seconded by Mr. Tropello and on Roll Call vote the following was recorded:

Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mrs. Fort	- Aye
Mr. Tropello	-Aye
Mayor Smith	- Aye

COMMENTS FROM THE PUBLIC for items listed on the agenda only

Scott Scammell, Dreahook Road, questioned a matter regarding Contract Negotiations on the Executive Session agenda.

CORRESPONDENCE / OTHER INFORMATION

1. Notice from Steven Santoro, Executive Director, NJ Transit Corporation regarding *Fiscal Year 2017 for Federal Financial Assistance*. No action taken.
2. Letter dated June 28, 2017 from Anne Hamlin, Director of Tax Credit Services, New Jersey Housing and Mortgage Finance Agency, regarding *Comments on Application for Low Income Housing Tax Credits for Willows at Whitehouse Station*.

Mr. Broten questioned if the Township Committee should provide a response in support to their request for comments. Mrs. Duffy proposed sending a copy of the adopted resolution saying the Township supports the application as part of our low income housing plan.

A **MOTION** was made by Mrs. Duffy to authorize Administrator Mekovetz to draft a letter in support of the application, seconded by Mr. Broten with a vote of ayes all, nays none recorded.

NEW BUSINESS

1. ***Request to Waive Special Events Application Fee / St. Elizabeth Ann Seton RC Church*** - letter dated June 29, 2017 from Deacon Paul Santella

Mrs. Fort expressed concern that the Township will be setting a precedent and asked if this is normal protocol.

A **MOTION** was made by Mr. Broten to grant this request to waive the special events fee after Administrator Mekovetz researches if the Township is permitted to waive the fee pursuant to the ordinance, and if not, this matter will be returned for further discussion at the next meeting, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Broten	- Aye
Mrs. Duffy	-Abstain
Mrs. Fort	- Aye
Mr. Tropello	-Aye
Mayor Smith	- Aye

2. ***An Ordinance Appropriating \$160,000 from the Housing Trust Fund for the Acquisition of Block 73, Lot 15 (Owner: Flood) Located at 5 Darts Mill Road, Flemington, NJ in and by the Township of Readington, in the County of Hunterdon, New Jersey***

Mrs. Fort stated that this property is being purchased as part of the Township's affordable housing plan.

The following ordinance was offered for introduction:

ORDINANCE APPROPRIATING \$160,000 FROM THE HOUSING TRUST FUND FOR THE ACQUISITION OF BLOCK 73 LOT 15 (OWNER: FLOOD) LOCATED AT 5 DARTS MILL ROAD, FLEMINGTON, NJ IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #10 -2017

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. \$160,000 is hereby appropriated from the housing trust fund for the acquisition of Block 73 Lot 15 on the tax map of the Township, including all related costs and expenditures incident thereto, in and by the Township of Readington, in the County of Hunterdon, New Jersey (the "Township").

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

A ***MOTION*** was made by Mrs. Duffy to introduce this ordinance, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mrs. Fort	- Aye
Mr. Tropello	-Aye
Mayor Smith	- Aye

The Public Hearing was scheduled for August 7, 2017.

- 3. Ordinance Appropriating \$70,513.80 from the Reserve for Open Space Purchases for the Acquisition of a Farmland Preservation Easement Block 14, Lot 1.01 (Owner: Schley) in and by the Township of Readington, in the County of Hunterdon, New Jersey***

Administrator Mekovetz explained that these are funds that have been received from the Municipal Grant Program for this project and the Township already has the cash in hand although the ordinance must be adopted as part of the procedure.

The following ordinance was offered for introduction:

ORDINANCE APPROPRIATING \$70,513.80 FROM THE RESERVE FOR OPEN SPACE PURCHASES FOR THE ACQUISITION OF A FARMLAND PRESERVATION EASEMENT BLOCK 14 LOT 1.01 (OWNER: SCHLEY) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #11-2017

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. \$70,513.80 is hereby appropriated from the reserve for open space purchases for the acquisition of a farmland preservation easement Block 14 Lot 1.01 on the tax map of the Township in conjunction with the County of Hunterdon, including all related costs and expenditures incident thereto, in and by the Township of Readington, in the County of Hunterdon, New Jersey (the "Township").

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

A **MOTION** was made by Mrs. Duffy to introduce this ordinance, seconded by Mr. Broten and on Roll Call vote the following was recorded:

Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mrs. Fort	- Aye
Mr. Tropello	-Aye
Mayor Smith	- Aye

The Public Hearing was scheduled for August 7, 2017.

4. ***Request to Hold Third Annual Three Bridges Five Mile Run / August 12, 2017***
– letter dated May 31, 2017 from Dennis Concannon, Chief, Three Bridges Volunteer Fire Co.

A **MOTION** was made by Mr. Broten to approve this request, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

- * 5. ***Application for Special Events Permit / St. Elizabeth Ann Seton RC Church***
(September 10, 2017)

This matter was addressed under the Consent Agenda.

- * 6. ***Application for Special Events Permit / Three Bridges Volunteer Fire Company***
(August 12, 2017)

This matter was addressed under the Consent Agenda.

- * 7. ***Application for Special Events Permit / Signature Salon and Spa***
(September 10, 2017)

This matter was addressed under the Consent Agenda.

- * 8. ***Resolution to Award Contract for Playground Equipment and Installation to National Joint Powers Alliance*** (Little Tikes Commercial, Play Power LT Farmington, Inc. / Sports and Golf Solutions)

This matter was addressed under the Consent Agenda.

- * 9. ***Permit Refund (Block 88, Lot 8)***

This matter was addressed under the Consent Agenda.

- * 10. ***Resolution Authorizing Alcoholic Beverage License Renewal for 2017-2018*** (Kalli 2 LLC / Nik's Wunderbar)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported on providing additional information in order to move forward with the Comcast Renewal contract negotiations prior to the public hearing.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

COMMITTEE REPORTS

JOHN BROTEN

Mr. Broten stated that he had nothing further to report.

M. ELIZABETH DUFFY

Mrs. Duffy stated that she had nothing further to report.

BETTY ANN FORT

Mrs. Fort noted that the Museums have a new display in the Municipal Building showcase.

BEN SMITH

Mayor Smith stated that he had nothing further to report.

SAM TROPELLO

Mr. Tropeppo reported that the discounts available to senior citizens for Comcast services are based on limited income.

COMMENTS FROM THE PUBLIC

Scott Scammell, Dreahook Road, commented on a public notice on 523 near Tewksbury near Rockaway Creek.

Lawrence Cohen, Esq., on behalf of residents at Regency at Readington, asked for an update on the commissioned noise study and draft site plan from Hunterdon Brewing Company, as he opined that the noise ordinances are currently being violated without any enforcement.

A MOTION was made by Mr. Broten to authorize Administrator Mekovetz to authorize certified training in noise control for both law enforcement and zoning personnel, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

A **MOTION** was made by Mr. Broten to authorize Administrator Mekovetz to obtain quotes for a noise consultant, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

Mr. Cohen also requested that the Township Committee consider authorizing Attorney Dragan to address a letter to the attorney for Hunterdon Brewing Company asking if the commissioned noise study will be forwarded to the Township.

Paul Taenzler, Ditmar Boulevard, commented that the quality of life has eroded at Regency at Readington due to the continuous noise from Hunterdon Brewing.

John Sharkey, Ditmar Boulevard, commented on the noise from vehicles from employees at Hunterdon Brewery.

Rob Baumgaertner, Blue Flag Court, asked if the Committee had any information on when the grant money would be awarded to Whitehouse Urban Renewal Associates. Mr. Baumgaertner commented on notice requirements for the Block 36 Study Area in need of redevelopment. Mr. Baumgaertner reiterated comments made by his wife at a previous meeting regarding procedural timing of meetings.

Susan Masinda, Meadow Road, commented on the proposed cemetery coming to the Township.

Richard Adamecs, Ditmar Boulevard, reiterated the comments made by Larry Cohen, Esq. on the noise levels from Hunterdon Brewing.

Karen Mittleman, Glenmont Road, asked if there were other options beyond Comcast for cable services.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, A **MOTION** was made by Mrs. Duffy at 8:30 p.m. to adjourn the meeting, seconded by Mrs. Fort with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, *RMC/MMC/QPA*
Municipal Clerk