

**READINGTON TOWNSHIP COMMITTEE
MEETING – October 16, 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, 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>
Darts Mill (Block 73, Lot 15).....	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Loughlin (Block 63, Lot 52).....	Contract Negotiations.....	“ “ “
Insurance.....	Contract Negotiations.....	“ “ “
Executive Session Minutes.....	Attorney-Client Privilege.....	“ “ “
• October 2, 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..... Holdings, LLC v. Twp of Readington	Litigation.....	“ “ “

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. Fort with a vote of ayes all, nays none recorded.

The meeting reconvened at 8:00 p.m.

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

Executive Session:

Contract Negotiations / Darts Mill (Block 73, Lot 15)

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Loughlin (Block 63, Lot 52)

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Insurance

Mayor Smith stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / October 2, 2017

A **MOTION** was made by Mr. Broten to approve the minutes for content only, seconded by Mrs. Fort 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 nothing was discussed.

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 meeting of October 2, 2017

* 2. ***Tax Overpayment***

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, the Readington Township Tax Collector has recommended the following refunds for property tax overpayments:

<u>BLOCK/LOT</u>	<u>REFUND TO</u>	<u>REASON</u>	<u>AMOUNT</u>
<u>2013</u> 36/49	Toll NJ I, LLC	Reduced Assessment	\$55,154.23
<u>2015</u> 36/163	Toll NJ I, LLC	Duplicate Payment	\$ 825.54
<u>2016</u> 55/13.04	Patricia J. Hall	Overpayment	\$ 897.26
66/27.04	Salvatore Cammarata	Overpayment	878.69
<u>2017</u> 39/54	Timothy A. Scoville	100% Disabled Vet	\$ 251.28
55/13.04	Patricia J. Hall	Overpayment	897.26

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer is hereby authorized to refund the amounts recommended.

* 3. ***Tax Overpayment Cancellation***

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, there exist several property tax overpayments where the property owners who made the overpayments no longer own the property, and

WHEREAS, the Tax Collector is unable to locate those prior owners.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, that the Tax Collector is hereby authorized to cancel the following tax overpayments:

<u>YEAR</u>	<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>AMOUNT</u>
2012	65	25		\$2,380.07
2013	51.03	5.01	Q0283	22.82
2013	66	49.09		3,722.56
2013	95	12.177		41.48
2014	21.06	302.09		626.70

* 4. ***Tax Overpayment***

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, the U.S. Department of Veterans Affairs has determined that the property owner of Block 39, Lot 54 is a 100% permanently disabled veteran (date of determination – March 15, 2017) and,

WHEREAS, the property owner purchased the property on January 15, 1987.

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Tax Collector be authorized to cancel the 2017 property taxes for the time period of March 15 – December 31, 2017 and refund the owner \$251.28, the amount of taxes overpaid for 2017.

* 5. ***Resolution Authorizing Alcoholic Beverage License Renewals 2017/18***
♦ McPhail Melinda M

The following resolution was offered for consideration:

#R-2017-91
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>
1022-33-002-010	McPhail Melinda M	\$2,214.60	\$200.00

* 6. ***Division of Land Use Regulation Application Form*** – installation of an embankment to stabilize the banks of the ditch (8 Brookview Road)

The following resolution was offered for consideration:

#R-2017-92
TOWNSHIP OF READINGTON
RESOLUTION

WHEREAS, there is a need to mitigate erosion for a ditch at 8 Brookview Road by installing an embankment to stabilize the banks of the ditch; and

WHEREAS, Readington Township has consented to the NDEP Land Use Regulation Application; and

Resolution #2017-92 cont'd:

WHEREAS, the Township Committee of the Township of Readington reviewed this application at its regular meeting held October 16, 2017; and

WHEREAS, it has been determined and reported by our Township Engineer that this application is in order and may be filed.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington does hereby authorize the following action:

1. The Township authorizes the Administrator/Municipal Clerk, Mayor or Deputy Mayor to sign for the Governing Body at appropriate locations on the LURP-2 form and Bog Turtle certification to mitigate erosion by installing an embankment to stabilize the banks of the ditch.
2. The Municipal Clerk is directed to forward a certified copy of the resolution and supporting documentation to the Township Engineer for submission to the Department of Environmental Protection.
- * 7. **Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Harlan School Road Project**

The following resolution was offered for consideration:

#R-2017-93

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE HARLAN SCHOOL ROAD PROJECT

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Readington Township formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Administrator/Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2018- *Harlan School Road* -00574 to the New Jersey Department of Transportation on behalf of the Township of Readington

BE IT FURTHER RESOLVED that the Mayor and Administrator/Municipal Clerk are authorized to sign the grant agreement on behalf of the Township of Readington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

- * 8. **Deed to State Regulated Property with Covenants Restricting Conveyance and Mortgage Debt** (138 Buttercup Court, Block 34, Lot 36.138)

The following resolution was offered for consideration:

#R-2017-94

**TOWNSHIP OF READINGTON
 COUNTY OF HUNTERDON
 RESOLUTION**

BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey hereby approves the deed restriction for affordable housing purposes contained in the proposed Deed from Oliver J. Forsythe to Joseph Riccardi for property known as Block 34, Lot 36.138 on the official Tax map of Readington Township, also known as 138 Buttercup Court, together with all required mortgage and closing documents given to the Township of Readington necessary for the sale of the property for use as affordable housing; and

BE IT FURTHER RESOLVED, that the Readington Township Mayor and/or Deputy Mayor, Township Administrator/Clerk, Township Housing Officer and Township Attorney, as applicable, are authorized to execute and deliver such deed, and all other documents, instruments and papers and to take any and all other action as they or any of them deem necessary or appropriate for the purpose of transferring the aforesaid property for affordable housing purposes in accordance with the regulations known as the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1 et seq., and any amendments thereto. In the event that any corrective documents are required to be placed of record in the future for the Township to receive the proper affordable housing credits under the Township's third round or future share plan, they are also authorized.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

- * 9. **Release of Board of Health Escrow / Calvo** (Block 45.02, Lot 50)
- * 10. **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	6-01	\$ 4,500.00
CURRENT FUND	7-01	\$ 640,275.51
SEWER APPROPRIATIONS	7-02	\$ 150.00
TRUST FUNDS	X-03	\$ 18,784.75
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 242,563.43
PAYROLL DEDUCTIONS	X-06	\$ 191,171.61
DUE TO STATE OF NJ	X-09	\$ 825.00
2016 CAP IMPROVEMENTS	X-16	\$ 2,400.00
	X-17	<u>\$ 3,602.00</u>
TOTAL OF ALL FUNDS		\$ 1,104,272.30

A **MOTION** was made by Mrs. Fort to approve the *Consent Agenda*, 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

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were none.

SWEARING OF NEW LIEUTENANT

Administrator Mekovetz swore in Christopher DeWire as the new Lieutenant.

PUBLIC HEARINGS

As it was after 7:45 p.m., A **MOTION** was made by Mrs. Fort to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Broten with a vote of ayes all, nays none recorded.

Clerk read by Title:

An Ordinance Amending and Supplementing the District Regulations Contained in Article IV of Chapter 148 Entitled “Land Development” of the Code of the Township of Readington Land Use Volume to Add a New Section to be known as the “Whitehouse-Mechanicsville Gateway Overlay Zone”

◆ ORDINANCE #14-2017

Michael Sullivan, Township Planner, explained that this ordinance creates an overlay district for the ROM-1 zone, applicable to those properties that abut Mill Road and Old Highway in Whitehouse Station, intended to provide for preservation of land in the AR, SSR and RR zone by way of a transfer of development intensities through floor area.

Mayor Smith asked if there were any comments from the governing body.

Mr. Broten commented that this is an excellent solution for the Township to keep our economic development moving forward along with accommodating a business that has been a good neighbor to Readington over the years.

Mayor Smith asked if there were comments from the Public.

Henry Ken Smith, Fox Rothschild, representing Readington Farms, commented that this ordinance is critical to the future of Readington Farms, enabling them to make a significant capital investment in the Township and the facility and applauded the Township for their efforts.

Don Merrigan, President of Readington Farms, commented that he appreciates the time and effort that the Planning Board and Township has put into this ordinance allowing them to move forward with their expansion.

A **MOTION** was made by Mrs. Fort to close the Public Hearing and open the regular meeting, seconded by Mr. Broten with a vote of ayes all, nays none recorded.

Clerk read by Title:

An Ordinance Amending and Supplementing the District Regulations Contained in Article IV of Chapter 148 Entitled “Land Development” of the Code of the Township of Readington Land Use Volume to Add a New Section to be known as the “Whitehouse-Mechanicsville Gateway Overlay Zone”

◆ ORDINANCE #14-2017

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

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

CORRESPONDENCE / OTHER INFORMATION

1. Notice to Public Service Electric and Gas Company Gas Customers from Matthew Weissman, Esq., General Regulatory Counsel – Rates, regarding ***The Matter of the Petition of Public Service Electric and Gas Company for Approval of Gas Base Rate Adjustments Pursuant to its Gas System Modernization Program.*** No action taken.

NEW BUSINESS

1. ***Request to Approve Proposed Work, Including Waiver of Site Plan and Associated Fees for Generators for Whitehouse Rescue Squad*** – letter dated October 5, 2017 from Jeff Herzog, Chief

Mrs. Fort stated that the Township received a FEMA grant after Hurricane Sandy to replace generators in some of the Emergency Services buildings in order to allow them to continue to operate in the event of loss of power and the Rescue Squad will be the beneficiary of a new generator. Mrs. Fort continued that since they are not a private residence but rather a quasi-government entity, they are asking for a waiver from the site plan requirement and associated fees. Administrator Mekovetz added that she received a similar request today from East Whitehouse Fire Company. Although he was supportive of this, Mr. Broten questioned whether the Committee had the authority to approve a waiver instead of the Zoning/or Planning Board. Attorney Dragan stated that in discussion with the Zoning Officer, no variance is required and the work is minor, maintaining that is it basically the Township’s equipment that is being purchased and since the Township is an applicant, it is not required to seek an approval from either location.

A **MOTION** was made by Mrs. Fort to approve the request of the Whitehouse Rescue Squad to waive fees and site plan requirement for the installation of their generator, 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

A **MOTION** was made by Mrs. Fort to approve the request of the East Whitehouse Fire Company to waive fees and site plan requirement for the installation of their generator, 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

- * 2. ***Resolution Authorizing Alcoholic Beverage License Renewals 2017/18***
♦ McPhail Melinda M

This matter was addressed under the Consent Agenda.

- * 3. ***Division of Land Use Regulation Application Form*** – installation of an embankment to stabilize the banks of the ditch (8 Brookview Road)

This matter was addressed under the Consent Agenda.

- * 4. *Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Harlan School Road Project*

This matter was addressed under the Consent Agenda.

- * 5. *Deed to State Regulated Property with Covenants Restricting Conveyance and Mortgage Debt* (138 Buttercup Court, Block 34, Lot 36.138)

This matter was addressed under the Consent Agenda.

- * 6. *Release of Board of Health Escrow / Calvo* (Block 45.02, Lot 50)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz stated that she had nothing further to report.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

COMMITTEE REPORTS

JOHN BROTEN

Mr. Broten reported that the approved reclamation roads for this year are coming to completion.

M. ELIZABETH DUFFY

Mrs. Duffy reported that the next Open Space Walk is November 19th on the Cushetunk Trail from Pickell Park. Mrs. Duffy also reported that trail session work is going on to improve the trails on October 21st on the Lazy Brook north section, October 28th on the River Trail and November 4th on the Vislocky Trail and announced all volunteers are welcome.

BETTY ANN FORT

Mrs. Fort reported that this Saturday evening is the barn dance at the Bouman Stickney Farmstead.

Mrs. Fort also reported that Readington Fire in conjunction with support from Branchburg will be requesting the Township to consider their need for a new tower truck in the near future.

Mrs. Fort reported that several new pieces of playground equipment are being installed at Pickell Park.

Mrs. Fort reported that the Healthy U Fitness Studio held an inspirational run at Pickell Park for both abled and disabled bodies.

BEN SMITH

Mayor Smith stated that he had nothing further to report.

SAM TROPELLO

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

COMMENTS FROM THE PUBLIC

George Stafford, representative for the NJ Highlands Coalition and Keep Green, requested consideration from the Township Committee at a future meeting to adopt a resolution supporting a sustainable program which needs to be renewed by the new legislature. Mr. Stafford also commented on a public question addressing a constitutional amendment to dedicate moneys from State Environmental contamination cases on the November ballot.

Scott Scammell, Dreahook Road, asked about a previous question on the bill list regarding the taxes on a rented township owned property.

Suzy Nagle, High Ridge Court, questioned if the property is rented out to hunters is the Township responsible for the taxes.

Todd Terricone, Lamington Road, asked for a status update on staffing a noise control officer. Mr. Terricone commented that he is experiencing ongoing noise problems with the Ryland Inn, further stating that he has filed numerous complaints with the Police Department.

Attorney Dragan suggested that a letter from the Mayor be sent to Mr. Frank Cretella, owner of the Ryland Inn, to notify him that the Township is receiving several noise complaints. Mayor Smith also requested that we ask the Chief of Police how many noise complaints have been filed in the last 6-12 months.

A MOTION was made by Mrs. Fort to draft a letter to Frank Cretella informing him that it was the Township's understanding that the sound would be kept to a reasonable level since the Township is getting complaints from neighbors, and also request that Mr. Cretella communicate to the Township how they will be addressing this situation, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, ***A MOTION*** was made by Mrs. Fort at 8:43 p.m. to adjourn the meeting, seconded by Mr. Broten with vote of ayes all, nays none recorded.

Respectfully Submitted:

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