

**READINGTON TOWNSHIP COMMITTEE  
MEETING – September 5, 2017**

Mayor Smith *calls the meeting to order at 5:30 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, Engineer R. O'Brien

**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**

<b><u>Subject Matter</u></b>	<b><u>Basis Of Public Exclusion</u></b>	<b><u>Date Anticipated When Disclosed to Public</u></b>
Construction Code.....	Personnel.....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Recreation.....	Personnel.....	“ “ “
Three Bridges Library.....	Personnel.....	“ “ “
Personnel Matters.....	Personnel.....	“ “ “
Police Department... ..	Personnel.....	“ “ “
Fire Official... ..	Personnel.....	“ “ “
2 Railroad Avenue (B 66, Lt 22).....	Contract Negotiations.....	“ “ “
Darts Mill (B 73, Lt 15).....	Contract Negotiations.....	“ “ “
Lorenzen (B 44, p/o Lt 4.02).....	Contract Negotiations.....	“ “ “

SAR Agreement.....	Contract Negotiations.....	“	“	“
Dobozynski Barn.....	Contract Negotiations.....	“	“	“
Executive Session Minutes.....	Attorney-Client Privilege.....	“	“	“
• August 7, 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. Fort with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:55 p.m.

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

***Executive Session:***

***Personnel / Construction Code***

**A MOTION** was made by Mrs. Fort to hire John Tillotson as part-time Building Inspector for 21 hours per week at a rate of \$35 per hour, 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

***Personnel / Recreation***

**A MOTION** was made by Mrs. Fort to hire Brian Van Dongen as Assistant Recreation Director at an annual salary of \$41,000 (replacing Patti Marcine), 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

***Personnel / Three Bridges Library***

A ***MOTION*** was made by Mr. Broten to increase the part-time hours of Melody Simerson to a maximum of 21 hours per week at the current rate of \$13 per hour, 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

***Personnel / Personnel Matters***

Mayor Smith stated that this matter remains in Executive Session.

***Personnel / Police Department***

Mayor Smith stated that this matter remains in Executive Session.

***Personnel / Fire Official***

Mayor Smith stated that this matter remains in Executive Session.

***Contract Negotiations / 2 Railroad Avenue (Block 66, Lot 22)***

Mayor Smith stated that this matter remains in Executive Session.

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

Mayor Smith stated that this matter remains in Executive Session.

***Contract Negotiations / Lorenzen (Block 44, p/o Lot 4.02)***

Mayor Smith stated that this matter remains in Executive Session.

***Contract Negotiations / SAR Sewer Agreement***

Mayor Smith stated that this matter remains in Executive Session.

***Contract Negotiations / Dobozyński Barn***

Joe Vinciguerra was present on behalf of the Readington Community Theater to request permission to use rooms at the Dobozyński Barn which are currently vacant to print graphics for the scenery production and also store printers and other materials.

Mayor Smith stated although the Committee would like to support the Community Theater, in order to keep the equipment safe he would like more details on how to proceed; therefore, he requested Administrator Mekovetz along with Attorney Dragan and the Director of Public Works to meet with Readington Community Theater to work on a contract proposal addressing matters such as insurance, security and liability concerns.

***Attorney-Client Privilege / Executive Session Minutes / August 7, 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 meeting of August 7, 2017
- \* 2. ***Application for Special Events Permit / Salem Family Realty***  
(October 4<sup>th</sup> → October 8<sup>th</sup>, 2017)
- \* 3. ***Application for Special Events Permit / Regency at Readington Social Committee***  
(September 9<sup>th</sup>)
- \* 4. ***Application for Special Events Permit & Request to Waive Fees / County of Hunterdon Touch a Truck*** (November 11<sup>th</sup>)
- \* 5. ***Release of Police Escrow / Fiddlers Elbow Country Club***
- \* 6. ***Release of Police Escrow / 31 Meadow Road (NASDAQ)***
- \* 7. ***Release of Escrow / 59 Tannery Road LLC (Block 39, Lot 53.07)***
- \* 8. ***NJ Department of Transportation Division of Local Aid and Economic Development Recommendation of Award of State Aid Project***

**BE IT RESOLVED**

That \_\_\_\_\_ the Township of Readington \_\_\_\_\_

hereby recommends to the New Jersey Department of Transportation that the contract for

\_\_\_\_\_ Improvements to Potterstown Road \_\_\_\_\_

in the \_\_\_\_\_ Township of Readington \_\_\_\_\_ County of \_\_\_\_\_ Hunterdon \_\_\_\_\_

be awarded to \_\_\_\_\_ Tilcon New York Inc. \_\_\_\_\_

whose bid amounted to \$ \_\_\_\_\_ 292,690.00 \_\_\_\_\_ subject to the approval of the Department.

\* 9. *Blue Light Permit (Lily Scheier)*

\* 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	7-01	\$ 980,128.61
SEWER APPROPRIATIONS	7-02	\$ 102,683.25
TRUST FUNDS	X-03	\$ 218,153.65
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 3,047,291.74
PAYROLL DEDUCTIONS	X-06	\$ 453,814.36
REG AND LOCAL SCHOOL TAX	X-07	\$ 5,497,553.58
2016 CAP IMPROVEMENTS	X-16	\$ 241,766.31
	X-17	\$ 14,043.00
<b>TOTAL OF ALL FUNDS</b>		<b>\$10,555,434.50</b>

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 IN OF NEW CHIEF OF POLICE**

Administrator Mekovetz swore in Joseph Greco as the new Chief of Police.

**PUBLIC HEARINGS**

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

Clerk read by Title:

***Bond Ordinance Providing for the Acquisition of Properties for Affordable Housing Purposes (Block 22, Lot 66, Owner: Oaks Developers LLC and Block 81, Lot 1, Owner: Blue Sky U.S. Properties Inc.) in and by the Township of Readington, in the County of Hunterdon, New Jersey Appropriating \$890,000 therefor and Authorizing the Issuance of \$840,000 Bonds or Notes of the Township to Finance Part of the Cost thereof***

**◆ ORDINANCE #12-2017**

Administrator Mekovetz stated that there is a minor correction on the name from Blue Sky LLC to *Blue Sky U.S. Properties Inc.*

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

Mrs. Duffy maintained that this is an ordinance which supports the Township’s efforts to meet the affordable housing obligations in the most sensible way possible without doubling the population of the Township.

Mr. Tropello clarified his reasoning for voting for this ordinance, although he opined there should be much more due diligence on the Railroad Avenue property before the funds will be approved for spending; however, in order to keep moving forward, it is necessary to adopt this ordinance.

Mayor Smith asked if there were any comments from the public.

Scott Scammell, Dreahook Road, questioned what the lot size was on the properties and how many units could fit on the property. Mr. Scammell also commented on the affordable housing obligations of the Township.

A **MOTION** was made by Mrs. Duffy 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:

***Bond Ordinance Providing for the Acquisition of Properties for Affordable Housing Purposes (Block 22, Lot 66, Owner: Oaks Developers LLC and Block 81, Lot 1, Owner: Blue Sky U.S. Properties, Inc.) in and by the Township of Readington, in the County of Hunterdon, New Jersey Appropriating \$890,000 therefor and Authorizing the Issuance of \$840,000 Bonds or Notes of the Township to Finance Part of the Cost thereof***

◆ **ORDINANCE #12-2017**

A **MOTION** was made by Mr. Broten to adopt 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

**CORRESPONDENCE / OTHER INFORMATION**

1. Notice of Public Service Electric and Gas Company Gas Customers from Justin Incardone, Esq., Associate General Regulatory Counsel in the ***Matter of Public Service Electric and Gas Company's 2017/2017 Annual BGSS Commodity Charge Filing for its Residential Gas Customers under its Periodic Pricing Mechanism.*** No action taken.
2. Notice of Public Service Electric and Gas Company Gas Customers from Justin Incardone, Esq., Associate General Regulatory Counsel in the ***Matter of the Petition of Public Service Electric and Gas Company Approval of Changes in its Electric Green Programs Recovery Charge and its Gas Green Programs Recovering Charge; ("2017 PSE&G Green Programs Cost Recovery Filing")*** No action taken.
3. Resolution from Karen Dysart, RMC, Brough of Milford regarding ***Supporting the Creation of a County Daytime Fire Department to Support our Volunteer Fire Companies.*** No action taken.
4. Resolution Designation September 2017 as ***National Suicide Prevention Awareness Month.*** No action taken.
5. Notice to Public Serve Electric and Gas Company Gas Customers from Justin Incardone, Esq., Associate Regulatory Counsel, ***In the Matter of Public Service Electric and Gas Company's 2017/18 Annual BGSS Commodity Charge Filing for its Residential Gas Customers under its Periodic Pricing Mechanism.*** No action taken.
6. Notice of Clinton Board of Adjustment Notice of Hearing on Application from Nicole Voight, Esq., Shanahan & Voight, LLC regarding ***Notice of Land Use Application, 182 Stanton Mountain Road.*** No action taken.

**NEW BUSINESS**

1. **Readington Township Fire Companies Staffing Committee Proposal** - presentation by Robert Walton (Hunterdon County Fire Chief's Association)

Administrator Mekovetz stated that the Chief Apgar had advised her that this matter will be deferred to the first meeting in October. Administrator Mekovetz stated the Chief Apgar will be providing information for distribution to the Committee prior to the presentation.

2. **Case Avenue, Three Bridges (Block 93, Lot 90)** – letter from George Dilts, Esq. on behalf of property owners to intend to eliminate the connection to Case Avenue and prevent the public from using the property driveway as a through road to Main Street

Scott Kwiatkowski, Old York Road, the proposed buyer of the property, was present to provide information related to his request to plan to convert Case Avenue into a dead-end street. Mr. Kwiatkowski added that he is seeking a memorandum of understanding from the Township attorney that the Township will not contest the ownership of the property; however, accommodations will be fulfilled based on recommendations from the Township Engineer and Director of Public Works.

Mrs. Duffy requested further information on what rights, if any, the Township has with regard to vacation of property. Attorney Dragan advised if the Township has no reason to use it, the property should be vacated via ordinance and a quit claim. Attorney Dragan maintained that it does appear there is still an interest in using a portion of the property since emergency vehicles will need adequate space to turn around and service surrounding properties and also mentioned the storm drainage easement pursuant to the letter from the Township Engineer.

**A MOTION** was made by Mr. Broten to authorize Attorney Dragan to prepare the necessary documentation, acknowledging that the Township has no right to the property and it can be vacated, contingent upon the Township obtaining an additional right of way for Case Avenue at the rear of the property to provide an area for snow plowing and obtain a storm drainage easement for the existing storm drainage pipe that crosses the property, seconded by Mr. Tropello with a vote of ayes all, nays none recorded.

3. **Request to Reduce Performance Bond / Toll Brothers (Block 36, Lot 49) / Phase V, Regency at Readington** – letter dated August 29<sup>th</sup> from Rob O'Brien, Township Engineer

Engineer O'Brien stated that Toll Brothers has completed all the curbing, sidewalk and base coarse therefore he recommended the reduction of the bond.

The following resolution was offered for consideration:

**#R-2017-83**

**TOWNSHIP OF READINGTON  
RESOLUTION**

**WHEREAS**, Toll Brothers did on August 3, 2017 file a written request with the Township of Readington for a reduction in Performance Bond #019050103 in the amount of \$471,097.45 for work completed on Regency at Readington (Phase 5), Block 36, Lot 49; and

**WHEREAS**, the Township Engineer has confirmed that a certain amount of work has been done by Toll Brothers, Inc. on said property; and

**WHEREAS**, in accordance with the Municipal Land Use Law the Township may retain up to 30% of a Performance Bond to assure the completion of site work; and

**Resolution #R-20174-83 cont'd:**

**WHEREAS**, the Township Engineer has supplied a reduced bond amount for Cash Performance Guarantee Check #09586789 and Performance Bond #019050103, as indicated in his letter of August 29, 2017 based upon the Municipal Land Use Law.

<b>BOND OR CHECK</b>	<b>BONDED AMOUNT @ 120%</b>	<b>RECOMMENDED REDUCTION FOR WORK COMPLETED</b>	<b>REMAINING PERFORMANCE GUARANTY @ 120%</b>
Liberty Mutual Insurance Co. #019050103	\$ 746,592.12	\$ 504,735.25	\$ 241,856.87
Check #09586789	\$ 82,954.68	\$ 56,081.69	\$ 26,872.99
<b>Total</b>	<b>\$ 829,546.80</b>	<b>\$ 560,816.94</b>	<b>\$ 268,729.86</b>

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that authorization is hereby given to reduce Cash Performance Guarantee Check #09586789 and Performance Bond #019050103, as recommended by the Township Engineer; and

**BE IT FURTHER RESOLVED**, that authorization is given to the Township Clerk to forward copies of this Resolution approving these reduced amounts to the applicant.

**A MOTION** was made by Mr. Broten to adopt this resolution, 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

4. **Request to Hang Banner for Business EXPO October 6<sup>th</sup> → October 23<sup>rd</sup>**  
 - letter dated August 25, 2017 from Christopher Phelan, President, Hunterdon County Chamber of Commerce

Mrs. Fort wanted assurance that the banner will be taken down in a timely manner.

**A MOTION** was made by Mr. Broten to approve the request to hang a banner for the Hunterdon County Chamber of Commerce Business EXPO at the Kings intersection (putting the banner up on October 6<sup>th</sup> and removal of the banner on October 23<sup>rd</sup>), seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

- \* 5. **Application for Special Events Permit / Salem Family Realty**  
 (October 4<sup>th</sup> → October 8<sup>th</sup>, 2017)

This matter was addressed under the Consent Agenda.

- \* 6. **Application for Special Events Permit / Regency at Readington Social Committee**  
 (September 9<sup>th</sup>)

This matter was addressed under the Consent Agenda.



- \* 7. *Application for Special Events Permit & Request to Waive Fees / County of Hunterdon Touch a Truck* (November 11<sup>th</sup>)

This matter was addressed under the Consent Agenda.

- \* 8. *Release of Police Escrow / Fiddlers Elbow Country Club*

This matter was addressed under the Consent Agenda.

- \* 9. *Release of Police Escrow / 31 Meadow Road (NASDAQ)*

This matter was addressed under the Consent Agenda.

- \* 10. *Release of Escrow / 59 Tannery Road LLC (Block 39, Lot 53.07)*

This matter was addressed under the Consent Agenda.

- \* 11. *NJ Department of Transportation Division of Local Aid and Economic Development Recommendation of Award of State Aid Project*

This matter was addressed under the Consent Agenda.

- \* 12. *Blue Light Permit (Lily Scheier)*

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 reported that the Schley closing will take place on the 19<sup>th</sup> of September.

#### ***ENGINEER'S REPORT***

Engineer O'Brien reported that the 2017 road projects are scheduled to begin September 11<sup>th</sup>, weather permitting.

Mrs. Fort asked Engineer O'Brien to get an update on the Pulaski Road bridge.

#### ***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 stated that she had nothing further to report.

**BEN SMITH**

Mayor Smith reported that the 3-D Archery shoot sponsored by the PBA was well attended.

Mayor Smith also reported that Ingerman Development received approval for their loan to build the Nelson Street project.

**SAM TROPELLO**

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

***COMMENTS FROM THE PUBLIC***

Susan Masinda, Meadow Road, commented that her and her neighbors had some major concerns about the proposed cemetery and presented information supporting their concerns.

Scott Scammell, Dreahook Road, asked if the Township will have electronics recycling any time soon.

***COMMENTS FROM THE GOVERNING BODY***

There were none.

As there was no further business, ***A MOTION*** was made by Mrs. Fort at 9:03 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