

**READINGTON TOWNSHIP COMMITTEE
MEETING – February 5, 2018**

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. Albanese, Mrs. M.E. Duffy and Mr. J. Heller

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, THERFORE, 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>
Construction Code	Personnel.....	Certain information at the discretion of the Township Committee tonight...other
Professional Services / Twp Engineer...	Contract Negotiations.....	“ “ “
City Connections.....	Contract Negotiations.....	“ “ “
Sewer Agreement (Schaeffer)	Contract Negotiations.....	“ “ “
PBA 317 / Patrolmen.....	Contract Negotiations.....	“ “ “
Amendment to MEL Ins. Agreement...	Contract Negotiations.....	“ “ “
Executive Session Minutes.....	Attorney-Client Privilege.....	“ “ “
• January 16, 2018		
Affordable Housing.....	Potential Litigation.....	“ “ “
Attorney-Client Privilege.....	Potential Litigation.....	“ “ “
Hunterdon Brewing.....	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 Mrs. Fort to adopt this resolution, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

The meeting reconvened at 8:20 p.m.

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

Executive Session:

Personnel / Construction Code

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Professional Services / Township Engineer

A **MOTION** was made by Mrs. Fort to appoint Van Cleef Engineering Associates as the Township Engineer and John Hansen, Engineering and Land Planning Associates, as the backup/conflict Engineer, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese - Aye
Mrs. Duffy -Aye
Mrs. Fort -Aye
Mr. Heller - Nay
Mayor Smith - Nay

Contract Negotiations / Professional Services / City Connections

A **MOTION** was made by Mrs. Fort to approve the contract as amended, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Albanese - Aye
Mrs. Duffy -Aye
Mrs. Fort -Aye
Mr. Heller - Aye
Mayor Smith - Aye

Contract Negotiations / Sewer Agreement (Schaeffer)

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

Mr. Albanese - Aye
Mrs. Duffy -Aye
Mrs. Fort -Aye
Mr. Heller - Aye
Mayor Smith - Aye

Contract Negotiations / PBA 317 / Patrolmen

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Amendment to MEL Insurance Agreement

A ***MOTION*** was made by Mrs. Duffy to approve the Amendment to the Agreement, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Albanese	- Aye
Mrs. Duffy	-Aye
Mrs. Fort	-Aye
Mr. Heller	- Aye
Mayor Smith	- Aye

Attorney-Client Privilege / Executive Session Minutes / January 16, 2018

A ***MOTION*** was made by Mrs. Duffy to approve the Executive Session Minutes of January 16, 2018 for content only, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

Potential Litigation / Affordable Housing

Mayor Smith stated that this matter remains in Executive Session.

Potential Litigation / Attorney-Client Privilege

Mayor Smith stated that this matter remains in Executive Session.

Potential Litigation / Hunterdon Brewing

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.

Administrator Mekovetz requested to remove *Item #5 Under New Business*.

- * 1. **APPROVAL OF MINUTES** of meeting of January 16, 2018

* 2. ***Tax Lien Redemption***

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 4, Lot 79.04 and,

WHEREAS, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$882.86, plus a premium paid in the amount of \$1,200.00, known as Tax Sale Certificate #2016-001, to the lienholder, FWDSL & Associates, LP.

* 3. ***Resolution Authorizing Morris County Cooperative Purchases***
(Allied Oil, LLC)

The following resolution was offered for consideration:

#R-2018-35
TOWNSHIP OF READINGTON
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE PURCHASES

WHEREAS, the Township of Readington wishes to purchase gasoline and diesel fuel from an authorized vendor under the Morris County Cooperative Purchasing Program for the calendar year 2018; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, NJS.A. 40A:II-12; and

WHEREAS, Allied Oil LLC, 25 Old Camplain Road, Hillsborough, NJ 08844 has been awarded Morris County Cooperative Contract #1 for Gasoline, and Contract #12 for Ultra Low Sulfur Diesel Fuel, both for the period twenty three (23) months, January 25, 2018 - December 31, 2019; and

WHEREAS, the Administrator recommends the utilization of this contract on the grounds that it represents the best price available, not to exceed \$360,000 for Allied Oil, LLC.

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

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Allied Oil LLC be awarded a contract for Gasoline and Ultra low sulfur diesel fuel; and

BE IT FURTHER RESOLVED, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

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

- * 4. *Approval of LOSAP Lists for Y2017*
- * 5. *Release of Police Escrow / Carroccia Company*
- * 6. *Release of Board of Health Escrow / Groborz (Block 53, Lot 14.01)*
- * 7. *Release of Board of Health Escrow / Chou (Block 64, Lot 27.01)*
- * 8. *Application for Special Events Permit / Salem Family Realty (RSL Auction Company)*
 - ♦ *March 15th → March 18th*
 - ♦ *May 30th → June 3rd*
- * 9. *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	\$ 205,380.38
SEWER APPROPRIATIONS	7-02	\$ 7,519.00
CURRENT FUND	8-01	\$ 782,111.85
SEWER APPROPRIATIONS	8-02	\$ 157,519.83
TRUST FUNDS	X-03	\$ 45,545.94
MISC REFUND, COUNTY TAX, LIENS	X-05	\$3,547,468.20
PAYROLL DEDUCTIONS	X-06	\$ 199,705.66
REG. & LOCAL SCHOOL TAX	X-07	<u>\$2,429,319.00</u>
TOTAL OF ALL FUNDS		\$7,374,569.86

A **MOTION** was made by Mrs. Fort to approve the Consent Agenda (*with the removal of Item #5, New Business*), seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

- Mr. Albanese - Aye
- Mrs. Duffy -Aye
- Mrs. Fort -Aye
- Mr. Heller - Aye
- Mayor Smith - Aye

Administrator Mekovetz requested to make a correction to remove *Item #9 Under New Business* from the Consent Agenda rather than *Item #5 Under New Business*.

A **MOTION** was made by Mrs. Fort to amend the Consent Agenda to include *Item #5 Under New Business* and remove *Item #9 Under New Business*, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

COMMENTS FROM THE PUBLIC for items listed on the agenda only

John Broten, Dogwood Drive, questioned how much capacity was provided in the recently approved sewer agreement listed under Executive Session.

PUBLIC HEARINGS

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

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 63, LOT 52, OWNER: LOUGHLIN) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$145,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$137,750 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

◆ ORDINANCE #01-2018

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

Mrs. Duffy stated that this parcel was recommended and promoted by the Open Space Advisory Board, connecting to other open space owned by both the Township and the County.

Mayor Smith asked if there were comments from the Public.

Scott Scammell, Dreahook Road, questioned how much acreage is this parcel of land.

John Broten, Dogwood Drive, stated that he has been opposed to the acquisition for a long time and opined that it adds no value to the open space inventory of the Township.

Juergen Huelsebusch, Hoagland Road, Chair of the Open Space Advisory Board, provided some background information regarding the benefit to acquiring this quality forested parcel of land.

John Klotz, Winding Way, member of Open Space Advisory Board, stated that he wanted to reinforce the comments made by Mr. Huelsebusch and added that Dr. Jay Kelly found several species of endangered woodland plants and flowers on the property.

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

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 63, LOT 52, OWNER: LOUGHLIN) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$145,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$137,750 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

◆ ORDINANCE #01-2018

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

Mr. Albanese	- Aye
Mrs. Duffy	-Aye
Mrs. Fort	-Aye
Mr. Heller	- Aye
Mayor Smith	- Aye

CORRESPONDENCE / OTHER INFORMATION

There was none.

NEW BUSINESS

1. ***An Ordinance Amending Chapter 148 of the Land Use Ordinance of the Township of Readington, County of Hunterdon and State of New Jersey Pertaining to Renewable Energy Facilities***

Attorney Dragan stated that this ordinance is attempting to make the solar facility restrictions more in line with what really goes on with respect to solar applications and try to eliminate variances where they are not needed. Attorney Dragan stated that she is still waiting the review and feedback from the Township Planner with regard to the definition section and suggested deferring this to the next meeting. Mayor Smith noted that he was unclear with restricting solar in certain zones including on the roof tops, understanding the limitation on historical buildings; however, opined that the other areas seemed overly restrictive. This matter was deferred to the next meeting.

2. ***An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank for Calendar Year 2018***

Administrator Mekovetz explained that this is a routine ordinance allowing the Township to increase the budget appropriation to 3.5% for reserve in the event they need to go above the cap or if not used, bank any portion for future use.

The following ordinance was offered for introduction:

**CALENDAR YEAR 2018
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

ORDINANCE #02-2018

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Readington in the County of Hunterdon finds it advisable and necessary to increase its CY 2018 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee of the Township of Readington hereby determines that a 3.5 % increase in the budget for said year, amounting to \$535,561.42. in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee of the Township of Readington hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Readington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2018 budget year, the final appropriations of the Township of Readington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$535,561.42, and that the CY 2018 municipal budget for the Township of Readington be approved and adopted in accordance with this ordinance; and,

Ordinance #02-2018 cont'd:

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Mr. Albanese	- Aye
Mrs. Duffy	-Aye
Mrs. Fort	-Aye
Mr. Heller	- Aye
Mayor Smith	- Aye

The Public Hearing was scheduled for February 20, 2018 at 7:45 p.m.

3. ***Emergency Services (Readington Fire Company) Presentation on Capital Budget***

Matt Hoffman, Deputy Chief of Readington Volunteer Fire Company, Chief Bill Apsley and President Jeff Doerr gave a presentation to request a joint purchase or replacement of their current tower ladder truck shared between Branchburg and Readington Township. Deputy Chief Hoffman stated that the current truck is almost twenty (20) years old with 20,500 miles, and they are looking to purchase a new truck with improved safety standards in 2018 for a 2019 delivery date. Deputy Chief Hoffman stated that the cost estimate for a new truck would be between \$1.2-1.4 million, and if it is a joint purchase Readington's responsibility for the cost would be half. Mrs. Fort asked if the Fire Company had a commitment from Branchburg at this time. Deputy Chief Hoffman stated that they will be doing a similar presentation for Branchburg.

* 4. ***Resolution Authorizing Morris County Cooperative Purchases (Allied Oil, LLC)***

This matter was addressed under the Consent Agenda.

* 5. ***Approval of LOSAP Lists for Y2017***

This matter was addressed under the Consent Agenda.

* 6. ***Release of Police Escrow / Carroccia Company***

This matter was addressed under the Consent Agenda.

* 7. ***Release of Board of Health Escrow / Groborz (Block 53, Lot 14.01)***

This matter was addressed under the Consent Agenda.

* 8. ***Release of Board of Health Escrow / Chou (Block 64, Lot 27.01)***

This matter was addressed under the Consent Agenda.

9. ***Certification of Determination and Award***

Administrator Mekovetz stated that there were two notes sold, although the second Certification of Determination and Award was not in the agenda packet. Administrator Mekovetz stated these notices are merely a formality to advise the Township Committee that the sale was complete and the note was awarded.

<i>Total Principal Amount</i>	<i>\$13,600,000</i>
<i>Issue Date:</i>	<i>1/30/2018</i>
<i>Maturity Date:</i>	<i>1/29/2019</i>
<i>Interest Rate per Annum:</i>	<i>2.00%, payable at maturity</i>
<i>Sold to:</i>	<i>Morgan Stanley & Co, LLC, New York, NY</i>

<i>Total Principal Amount</i>	<i>\$6,278,000</i>
<i>Issue Date:</i>	<i>1/30/2018</i>
<i>Maturity Date:</i>	<i>5/01/2018</i>
<i>Interest Rate per Annum:</i>	<i>1.50%, payable at maturity</i>
<i>Sold to:</i>	<i>TD Securities (USA) LLC, New York, NY</i>

A ***MOTION*** was made by Mrs. Fort that the Township Committee was provided the Certification of Determination and Award, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

* 10. ***Application for Special Events Permit / Salem Family Realty (RSL Auction Company)***

- ◆ *March 15th → March 18th*
- ◆ *May 30th → June 3rd*

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 ALBANESE

Mr. Albanese reported that he attended the Recreation Committee meeting last Wednesday.

M. ELIZABETH DUFFY

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

BETTY ANN FORT

Mrs. Fort reported that the Museums 18th Century Costume Open House was well attended yesterday afternoon.

JONATHAN HELLER

Mr. Heller reported that the Open Space Hike at the Hill & Dale Preserve in Oldwick/Tewksbury was a success.

Mr. Heller also reported that the Open Space Advisory Board is moving forward with the tree donation program. Mr. Heller requested Administrator Mekovetz to draft resolutions in recognition of two Scouts attaining Eagle Scout in March.

BEN SMITH

Mayor Smith reported that the Police Department participated in a heroin bust last week.

COMMENTS FROM THE PUBLIC

Debra Killian, East Dreahook Road, commented on her disappointment on working with Code Enforcement to resolve a fencing complaint with a neighboring property. Mrs. Fort offered to be a liaison in an attempt to resolve this conflict.

COMMENTS FROM THE GOVERNING BODY

Mayor Smith announced that the Township received notice of Walmart's plan to close their local store shortly before the employees of the store were notified late last week. Mayor Smith stated that a member of the Committee reached out to Walmart in an attempt to reverse the decision, or offer other possible Walmart purposes for that site, although the answer was negative. Mayor Smith continued that Walmart is currently leasing that site, and over the last decade the property owner, on behalf of Walmart, has come before the various boards to extend their hours of operation, request sewer capacity due to a failing septic system and a proposed expansion, request to expand/or add to the building along with a zoning change to accommodate the expansion, and each time these requests have been approved by the Township. Mayor Smith stated that the Township is disappointed to see Walmart leave.

Mrs. Duffy added that it is the Township's responsibility to zone property; however, it is not the Township's decision as to what goes into the vacant building or property.

As there was no further business, ***A MOTION*** was made by Mrs. Duffy at 9:25 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