

**READINGTON TOWNSHIP COMMITTEE  
MEETING – July 2, 2018**

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. Albanese, and Mrs. M.E. Duffy

**ALSO PRESENT:** Administrator Mekovetz, Attorney S. Dragan

**ABSENT:** Mr. J. Heller

**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>
Board of Health.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Recreation / Summer Help.....	Personnel.....	“ “ “
Award of 2018 Road Reclamation Bid..	Contract Negotiations.....	“ “ “
Lorenzen (Block 44, p/o Lot 4.02.....)	Contract Negotiations.....	“ “ “
Shared Services / ..... Readington Board of Education	Contract Negotiations.....	“ “ “
Gallo (Block 39, Lot 10).....	Contract Negotiations.....	“ “ “
Fiber Technologies Networks LLC.....	Contract Negotiations.....	“ “ “
Executive Session Minutes.....	Attorney-Client Privilege.....	“ “ “
• June 18, 2018		
Affordable Housing.....	Potential Litigation.....	“ “ “
◦ Contract Negotiations / Harriet’s Mobile Home Parks		
◦ Contract Negotiations / SAR		
◦ Contract Negotiations / Readington Commons		

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 7:30 p.m.

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

**Executive Session:**

**Personnel / Board of Health**

Mayor Smith stated that this matter remains in Executive Session.

**Personnel / Recreation / Summer Help**

A **MOTION** was made by Mrs. Fort to approve the following additional counselors for the summer recreation program effective June 25<sup>th</sup> through August 3<sup>rd</sup>, held at Whitehouse School, Holland Brook and Readington Middle School:

NAME	HOURLY RATE	NAME	HOURLY RATE
Michel Amaya	\$9.25	Julie Kreutzer	\$10.50
Lauren Armellino	\$9.00	Erin McQuade	\$9.00
Brianna Cereveira	\$8.75	Lydia Romeo	\$9.00
Erick Hernandez	\$9.25	Frank Zheng	\$9.00
Kaitlyn Higgins	\$8.75	Jared Hernandez	\$9.50
Julie Hyland	\$9.54	<i>Withdraw: Ryan McCarthy, Emily Sutphen</i>	

**This Motion** was seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese - Aye  
 Mrs. Duffy -Aye  
 Mrs. Fort -Aye  
 Mayor Smith - Aye (*Mayor Smith recused himself from voting on Julie Hyland*)

**Contract Negotiations / Award of 2018 Road Reclamation Bid**

A **MOTION** was made by Mrs. Fort to award the 2018 Road Reclamation bid to Asphalt Paving Systems in the amount of \$109,140, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

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

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

A **MOTION** was made by Mrs. Duffy to approve the contract to purchase Block 44, p/o Lot 4.02 for \$557,800 for open space and conservation purposes and on Roll Call vote the following was recorded:

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

Mayor Smith noted that approximately \$509,725 from Transco funds will be applied towards this purchase with the remaining funds to be covered by the Hunterdon County Open Space funds.

***Contract Negotiations / Shared Services / Readington Board of Education***

A **MOTION** was made by Mrs. Fort to approve Addendum #3 on the Shared Services Agreement, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

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

***Contract Negotiations / Gallo (Block 39, Lot 10)***

Mayor Smith stated that this matter remains in Executive Session.

***Contract Negotiations / Fiber Technologies Networks, LLC***

Mayor Smith stated that this matter remains in Executive Session.

***Attorney-Client Privilege / Executive Session Minutes / June 18, 2018***

A **MOTION** was made by Mrs. Duffy to approve the Executive Session Minutes of June 18, 2018 for content only, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

***Potential Litigation / Affordable Housing***

The following resolution was offered for consideration:

***#R-2018-71***

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR  
REAL ESTATE FINANCIAL ADVISORY SERVICES***

**WHEREAS**, the Township of Readington has a need to acquire Real Estate Financial Advisory Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

**WHEREAS**, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44A-8, et seq.*; and

**WHEREAS**, the Township Administrator has determined and certified in writing that the value of the services may not exceed \$10,000; and

**WHEREAS**, Robert S. Powell, Jr., Nassau Capital Advisors, LLC, has submitted a proposal indicating they will provide Real Estate Financial Advisory Services in connection with development of inclusionary zoning plan for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

**Resolution #R-2018-71 cont'd:**

**WHEREAS**, Robert S. Powell, Jr., Nassau Capital Advisors, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that Robert S. Powell, Jr. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Robert S. Powell, Jr. from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2018 budget.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Robert S. Powell, Jr., Nassau Capital Advisors, LLC, as described herein; and

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

**BE IT FURTHER RESOLVED**, that said contract shall expire on December 31, 2018; and

**BE IT FURTHER RESOLVED**, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

**BE IT FURTHER RESOLVED**, 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. Albanese	- Aye
Mrs. Duffy	-Aye
Mrs. Fort	-Aye
Mayor Smith	- Aye

- **Contract Negotiations / Harriet's Mobile Home Parks**

**A MOTION** was made by Mrs. Fort to approve a Memorandum of Understanding and authorize the special counsel to draft a resolution of memorialization, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

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

- **Contract Negotiations / SAR**

**A MOTION** was made by Mrs. Duffy to approve the Settlement Agreement and authorize the special counsel to draft a resolution of memorialization, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

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

- ***Contract Negotiations / Readington Commons***

A ***MOTION*** was made by Mrs. Duffy to approve the Settlement Agreement and authorize the special counsel to draft a resolution of memorialization, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

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

***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.

***Potential Litigation / Hunterdon Brewing Company***

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 June 18, 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 45, Lot 35 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 \$31,946.64, known as Tax Sale Certificate #2017-011, to the lienholder, US Bank Cust for PC7 Firstrust Bank.

\* 3. *Tax Overpayments (2017)*

The following resolution was offered for consideration:

**READINGTON TOWNSHIP**  
**HUNTERDON COUNTY, STATE OF NEW JERSEY**

**RESOLUTION**

**WHEREAS**, there exist several tax overpayments from 2017, and

**WHEREAS**, the Tax Collector desires to apply the following 2017 overpayments to the amounts due for 2018 taxes prior to the printing and mailing of the property tax bills:

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>AMOUNT</u>
1.01	1.11		\$10,000.00
1.01	1.13		9,758.37
1.01	2		11,433.71
2	14.13		8,499.99
4	8.01		1,283.27
4	48		1,268.86
10.01	1	Q0035	215.92
11	1.05		7,865.94
11	9.01		3,136.16
12	16		438.57
13	58	Q0027	15.83
14	4.06		9,465.16
14	50	Q0060	59.34
21.01	51		7,073.02
21.04	202.05		4,699.35
21.04	504.05		4,744.58
21.08	7		5,341.22
22	40.06	C01	1,201.84
22	40.12	C03	298.00
25	24.01		5,250.59
25	43.04		8,991.17
25	51		5,103.61
34	36.002		250.00
34	36.021		3,973.62
34	36.024		185.55
34	36.269		15,587.12
34	36.270		3,600.78
35	26		250.00
36	49.089		3,375.08
36	49.107		4,852.80
36	49.117		1,000.92
36	49.120		587.20
36	166		20.37
37	19		4,145.70
38	38.34		7,045.10
38	50.03	Q0159	53.32
39	21.18		5,767.55
40	1.02		5,369.15
42	17.02		1,001.21
43	3		250.00
44	10		35.84
44	16		250.00
44	19		312.68

***Tax Overpayment Resolution cont'd:***

45	14		5,250.12
45	25.19		3,317.56
45	25.37		15,095.65
45	25.41		21.47
45	25.65		9,534.16
45.01	1.01		6,000.00
45.03	1		7,441.38
46	6		570.67
46	11.03		9.54
46.01	11.08		5,600.00
47	16.01		3,825.52
48.01	26.29		6,464.67
50	34.05		12,220.55
51	2.16		5,380.63
51	21.05		10,400.00
51	21.27		9,412.78
51	37		5,604.07
51	47		6,400.00
51.03	21		45,784.86
52	24.09		10,558.46
54	2.14		186.06
55	7.03		351.61
55	7.08		10,107.53
55	13.28		177.65
55	13.40		8,376.00
55	20		3,070.19
57	1.01		4,274.04
57	11.07		166.25
57	11.31		5,500.00
57	11.43		857.56
57.01	11.26		5,000.00
63	8.01		3,840.29
63	11	Q0375	52.80
64	22		6,796.91
64	24.05		6,119.16
64	37.14		7,197.23
65	18.02		185.53
65	21		7,000.00
66	19.32		6,120.84
66	25.05		2,928.44
67	1.02		5,400.00
67.01	19.27		5,953.75
68	10.13		5,466.66
69	1.12		5,862.19
69	13.15		4,495.59
69	13.28		5,752.53
70	19.04		4,777.37
70	19.16		5,179.99
70	27.29		4,299.85
70	40.03		5,905.21
70	41.13		6,076.39
70	42.08		70.98
70.01	17.12		5,065.67
72	3.10		7,551.34
73	3.37		4,347.17
73	29	Q0517	6.60
73	343		6,567.07
73.01	5		6,015.86
73.02	19		5,600.00

**Tax Overpayment Resolution cont'd:**

75	9		5.80
75	17.05		8,704.29
76	3.08		452.76
95	11.02		5,748.93
95	11.16		6,435.91
95	12.320		957.13
95.01	5		7,030.76
96	2	T02	295.17

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Readington that the Tax Collector is hereby authorized to apply the above-referenced 2017 property tax overpayments to 2018 property taxes receivable.

- \* 4. **Resolution to Renew 2018/19 Alcoholic Beverage Control License**
  - ♦ **Melinda McPhail**
  - ♦ **Kalli2 LLC (T/A Nik’s Wunderbar)**

The following resolution was offered for consideration:

**#R-2018-68**

**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 2018-2019 be approved:

**PLENARY RETAIL CONSUMPTION:**

<b><u>LICENSE NUMBER</u></b>	<b><u>LICENSE HOLDER</u></b>	<b><u>MUNICIPAL FEE</u></b>	<b><u>STATE FEE</u></b>
1022-33-002-010	McPhail Melinda M	\$2,214.60	\$200.00
1022-33-009-008	Nik’s Wunderbar	\$2,214.60	\$200.00

- \* 5. **Acceptance of 2017 Audit Report**

The following resolution was offered for consideration:

**# R-2018-69**

**TOWNSHIP OF READINGTON  
 RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, The Annual Report of Audit for the year 2017 has been filed by the Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled “General Comments and Recommendations

And

**Resolution #R-2018-69 cont'd:**

**WHEREAS**, the members of the governing body have personally reviewed, at a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “General Comments and Recommendations” as evidenced by the group affidavit form of the governing body; and

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

\* 6. **Corrective Action Plan to 2017 Audit**

**TOWNSHIP OF READINGTON**

**COUNTY OF HUNTERDON**

The following recommendation was included in the 2017 Township audit as submitted by the firm of Lerch, Vinci and Higgins, CPA/RMA:

**Purchasing:**

1) It is recommended that internal controls over the Township’s encumbrance accounting system be reviewed and enhanced.

*Response: Contracts will be encumbered for the full estimated amounts through blanket purchase orders and adjusted as needed. Goods or services required will be encumbered prior to said being ordered by departments.*

\* 7. **Release of Escrow / Black River Roasters (Block 7, Lot 4)**

\* 8. **Release of Escrow / Cellco Partnership (Block 14, Lot 49)**

\* 9. ***Resolution Approving the Use of the Morris County Cooperative Pricing Council (MCCPC) to Construct the Various Improvements***

The following resolution was offered for consideration:

**#R-2018-70**

***RESOLUTION APPROVING THE USE OF THE MORRIS COUNTY COOPERATIVE PRICING COUNCIL (MCCPC) TO CONSTRUCT THE VARIOUS IMPROVEMENTS TO VAN HORNE ROAD***

**WHEREAS**, The Township of Readington has been awarded FY 2017 New Jersey Department of Transportation (NJDOT) Municipal Aid in the amount of \$180,000 for the improvements to Van Horne Road.

**WHEREAS**, The NJDOT has required a resolution from the Township approving the use of the MCCPC to construct the various improvements to Van Horne Road.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Township of Readington in the County of Hunterdon and State of New Jersey, formally approves the use of the MCCPC to construct the various improvements to Van Horne Road.

\* 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	\$ 7,855.55
CURRENT FUND	8-01	\$ 299,876.79
SEWER APPROPRIATIONS	7-02	\$ 119,853.05
TRUST FUNDS	X-03	\$ 13,553.02
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 78,193.94
PAYROLL DEDUCTIONS	X-06	\$ 8,090.88
REG & LOCAL SCHOOL TAX	X-07	\$5,623,436.78
2014 CAP IMPROVEMENTS	X-14	\$ <u>29,139.03</u>
<b>TOTAL OF ALL FUNDS</b>		<b>\$6,179,999.04</b>

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

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

**COMMENTS FROM THE PUBLIC** for items listed on the agenda only

Andrew Roth, County Road 523, requested clarification on the Contract Negotiations / SAR from the Executive Session agenda.

Scott Scammell, Dreahook Road, commented on the purchase amount of the Lorenzen contract and asked if the appraisals were completed. Mr. Scammell commented on the temporary certificate of occupancy that has been in place for years on the Lorenzen property and the \$100,000 reduction in their property assessment.

Bob Schoenfeld, Oldwick Road, asked for clarification on whether the Township was purchasing the Lorenzen house or a portion of the property.

**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. Albanese with a vote of ayes all, nays none recorded.

Clerk read by Title:

***An Ordinance to Provide for the Acceptance of Construction Materials for Use on Parkland Improvement Projects Located in the Township of Readington, County of Hunterdon and State of New Jersey***

◆ **Ordinance #09-2018**

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

There were none.

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

There were none.

**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:

***An Ordinance to Provide for the Acceptance of Construction Materials for Use on Parkland Improvement Projects Located in the Township of Readington, County of Hunterdon and State of New Jersey***

◆ **Ordinance #09-2018**

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

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

**A MOTION** was made by Mrs. Fort to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

Clerk read by Title:

***Bond Ordinance Providing for a Market to Affordable Program in and by the Township of Readington, in the County of Hunterdon, New Jersey, Appropriating \$800,000 therefor and Authorizing the Issuance of \$760,000 Bonds or Notes of the Township to Finance Part of the Cost thereof***

◆ **Ordinance #10-2018**

Mayor Smith explained that this ordinance provides the mechanism for the Township to purchase properties for affordable housing and deed restrict.

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

Mrs. Duffy stated that by buying existing properties within the Township, it does not expand the number of dwelling units but rather deed restricts the existing property to allow the Township to get the credit towards our obligation.

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

Andrew Roth, County Road 523, asked for clarification on the process of deed restricting properties.

Bob Schoenfeld, Oldwick Road, requested clarification on the purpose of the bond for the affordable housing and asked if it could be used for eminent domain.

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

Clerk read by Title:

***Bond Ordinance Providing for a Market to Affordable Program in and by the Township of Readington, in the County of Hunterdon, New Jersey, Appropriating \$800,000 therefor and Authorizing the Issuance of \$760,000 Bonds or Notes of the Township to Finance Part of the Cost thereof***

◆ **Ordinance #10-2018**

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

**CORRESPONDENCE / OTHER INFORMATION**

1. Letter dated June 5, 2018 from Matthew Weissman, Esq. General Regulatory Counsel, PSE&G Services Corporation, regarding ***PSE&G filing a petition with the NJ Board of Public Utilities Requesting an Increase in the Charges for Electric and Gas Service.*** No action taken.
2. Letter dated June 18, 2018 from Shana Goodchild, Land Use Administrator, Township of Tewksbury regarding ***Comprehensive Farmland Preservation Plan of the Township's Master Plan.*** No action taken.

**OLD 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***

The following ordinance was offered for introduction:

***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***

***Ordinance #11-2018***

***BE IT ORDAINED*** by the Mayor and Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that the following amendments shall be made to Chapter 148 of the Code of the Township of Readington entitled "Land Use Ordinance". Additions are indicated thus and deletions are indicated ~~thus~~.

***SECTION 1.*** Article II "Definitions of Terms", Section 148-9 Definitions shall be amended to as follows:

**Ordinance #11-2018 cont'd:**

FARM-SCALE RENEWABLE ENERGY FACILITIES. Renewable energy facilities on permitted, commercial farms which meet the applicable provisions in the New Jersey Farmland Assessment Act (N.J.S.A. 54:4-23.1 et seq.), the New Jersey Right to Farm Act (N.J.S.A. 4:1C-1 et seq.) and the New Jersey State Agricultural Development Committee's Agricultural Management Practice for the Construction, Installation, Operation or Maintenance of Solar Energy Generation Facilities, Structures and Equipment on Commercial Farms, Renewable energy facilities on farms that are not classified as "commercial farms" pursuant to the State of New Jersey are not included under this definition. Such facilities located on commercial farms where agriculture is not a permitted use shall be deemed an expansion of a preexisting nonconforming use and shall require appropriate variance relief pursuant to N.J.S.A. 40:55D-70d(2). ~~Farm-scale renewable energy facilities shall be required to obtain major site plan approval in order to demonstrate to the approving authority that the requirements of the AMP are met.~~

RENEWABLE ENERGY. Energy produced from solar, photovoltaic, wind or biofuel technologies.

RENEWABLE ENERGY FACILITY - A facility that engages in the production of electric energy from solar, photovoltaic, wind or biofuel technologies.

SOLAR ENERGY FACILITY, ACCESSORY - A solar energy facility which is accessory to and provides power to a permitted principal use on the lot and that cannot be classified as an ~~"integrated"~~ a "building-mounted solar energy facility". This includes solar parking canopies. ~~Major site plan approval is required prior to the issuance of a zoning permit or construction permit.~~

SOLAR ENERGY FACILITY, ~~INTEGRATED BUILDING-MOUNTED~~ - A solar energy facility ~~which is accessory to and provides power to a permitted principal use and is either that is attached to a building a ground mounted, solar energy facility that does not exceed 500 square feet in size or is mounted to a building that is conforming as to use and bulk requirements. Site plan approval is not required, but a zoning permit and construction permit are required.~~

SOLAR ENERGY FACILITY, STAND-ALONE - A ground-mounted solar energy facility that is a principal use on a site. ~~Major site plan approval is required prior to the issuance of a zoning permit or construction permit.~~

SOLAR PANEL - An elevated panel or plate, or a canopy or array thereof, that captures and converts solar radiation to produce power, and includes flat-plate or photovoltaic photo cells and excludes the base or foundation of the panel, plate or array.

SOLAR PARKING CANOPY. An accessory solar energy facility mounted above a surface parking lot or the top level of a parking structure such that vehicles may park and/or drive beneath. ~~Major site plan approval is required prior to the issuance of a zoning permit or construction permit.~~

WIND ENERGY FACILITY, ~~STAND-ALONE~~ - A wind generator and all associated equipment, including any base, blade, foundation, nacelle, rotor, tower, transformer, vane, wire, inverter, battery or other component necessary to fully utilize the wind generator. ~~Major site plan approval is required prior to the issuance of a zoning permit or construction permit.~~

WIND GENERATOR - Equipment that converts energy from the wind into electricity, including the rotor, blades and associated mechanisms.

**SECTION 2.** The current Article VI "General Provisions", Section 148-60.2 Renewable energy facilities is hereby deleted in its entirety and shall be replaced with the following new section as follows:

Article VI " General Provisions", Section 148-60.2:

A. The purpose of this section is to permit renewable energy facilities in appropriate locations in the Township in a way this is consistent with duly enacted state legislation to facilitate alternative forms of energy production and to minimize potential land use conflicts and impacts associated with such facilities. This section is intended to accomplish the foregoing while also:

- (1) Retaining prime agricultural soils for agricultural use by avoiding locating such facilities on lands within the Agricultural Development Area (ADA) and lands with significant areas of prime farmland soils and soils of statewide importance;

***Ordinance #11-2018 cont'd:***

- (2) Preserving the industry of agriculture and character of agricultural lands and districts by avoiding locating such facilities on lands adjacent to or across a public road from permanently preserved farmland.
- (3) Preserving areas with an established rural, scenic or historic character by avoiding locating such facilities on land within areas of rural, scenic or historic character, particularly on land that is exposed to public view and where, by reason of topography or other natural features, the facility cannot be effectively screened from view;
- (4) Protecting the quality of life in residential districts by avoiding the placement of accessory and principal renewable energy facilities in locations where they would be visible from adjacent residential uses and areas;
- (5) Providing standards for buffering and visual screening of renewable energy facilities to protect surrounding properties from degradation of visual character and to mitigate the negative visual impacts of renewable energy facilities; and
- (6) Providing for proper decommissioning and land restoration of the renewable energy facility after its useful life.

B. Building-mounted solar energy facilities shall meet the following requirements:

- (1) The facility's maximum offset/height above a roof plane upon which it is mounted shall be 12 inches, unless it is visually screened by another architectural element, such as a parapet.
- (2) The facility shall not exceed the applicable (principal or accessory) maximum permitted building height.
- (3) Facilities on property located within local or State/National Historic Districts shall not be mounted on roofs or exterior building elevations that face public streets.

C. Ground-mounted solar energy facilities shall meet the following requirements:

- (1) The facility shall not be located in a stream corridor, wetland transition area or areas with slopes of 15% or greater.
- (2) The maximum height of the facility shall be eight feet.
- (3) The facility shall not be located in a front yard (between the front facade of the principal building and a street).
- (4) The facility shall conform to the minimum required side and rear yard setbacks for accessory buildings.
- (5) The site shall meet the buffer standards of the zone district in which the facility is located and those in Sec. 148-63, Buffers. Additionally, the site shall meet the standards in Sec. 148-66, Landscaping.
- (6) The facility shall provide one or more of the following beneath the structures: lawn, meadow grasses or an agricultural area for crops or grazing farm animals. Meadow grass plantings shall include wildflowers in addition to appropriate grass species.
- (7) Where the prior use of a facility site consists of agriculture, the facility shall be installed such that it can be returned to active agricultural production after the useful life and removal of the facility. As such, site disturbance, including but not limited to grading, cut and fill, excavation, and soil compaction, shall be minimized; soil removal is prohibited.

***Ordinance #11-2018 cont'd:***

- (8) Ground-mounted solar energy facilities that are not accessory to a single-family or two-family residential use shall require major site plan approval and shall submit the following as part of the documentation for site plan approval:
  - (a) Location of proposed and existing underground or overhead utility or transmission lines.
  - (b) Location of any proposed or existing substations, inverters or transformers.
  - (c) Description of any necessary upgrades or modifications to existing substations and utility lines, both on and off site.
  - (d) Description of any new substations and utility lines, both on and off site.
  - (e) Description of how the energy generated by the facility will be connected to the electrical distribution or transmission facility or the electrical facility of the intended energy user.
  - (f) Location of existing hedgerows and vegetated windbreaks. Trees on the site that have a six inch dbh or greater shall be identified by species and overall condition. An accurate canopy depiction shall be included.
  - (g) Photographic simulations of the views of the proposed facility from ground level from all public roads abutting the property and from adjacent residential uses.
  - (h) Maintenance plan which describes the applicant's approach to maintaining the facility after construction, including the panels and associated supporting structures, as well as the property on which the facility is installed.
  - (i) A decommissioning plan, pursuant to Sec. 148-60.2H.
  - (j) For all farm-scale renewable energy facilities site plan applications, sufficient documentation shall be provided to demonstrate to the approving authority that the requirements of the New Jersey State Agricultural Development Committee's *Agricultural Management Practice for the Construction, Installation, Operation or Maintenance of Solar Energy Generation Facilities, Structures and Equipment on Commercial Farms* are met.

D. Solar parking canopy facilities require major site plan approval and shall meet the following requirements:

- (1) The horizontal area occupied by the facility shall be measured by the aggregate of all facilities constructed on a lot, including space between panels, excluding transmission lines and subterranean elements. (See diagram entitled "Area Measurement of Solar Facilities.")<sup>3</sup>
- [<sup>3</sup>] Editor's Note: Said diagram is included as an attachment to this chapter.
- (2) The horizontal area occupied by the facility shall contribute toward floor area and shall be included in the calculation of total floor area ratio. (See diagram entitled "Area Measurement of Solar Facilities").
  - (3) The maximum permitted height of the facility shall be 20 feet.
  - (4) The facility shall not be located in a front yard (not located between the front facade of a principal building and a street).

- (5) The facility shall conform to the minimum required side and rear yard setbacks for principal buildings in the zone in which it is located.

***Ordinance #11-2018 cont'd:***

- (6) The installation of the canopy shall not result in a reduction in the minimum required dimensions of parking stalls.
- (7) The facility shall meet the lighting and landscape standards of the Land Development Code, with the exception of Sec. 148-70A(3).
- (8) Solar parking canopies shall submit the following as part of the documentation for major site plan approval:
- (a) Location of proposed and existing underground or overhead utility or transmission lines.
  - (b) Location of any proposed or existing substations, inverters or transformers.
  - (c) Description of any necessary upgrades or modifications to existing substations and utility lines, both on and off site.
  - (d) Description of any new substations and utility lines, both on and off site.
  - (e) Description of how the energy generated by the facility will be connected to the electrical distribution or transmission facility or the electrical facility of the intended energy user.
  - (f) Photographic simulations of the views of the proposed facility from ground level from all public roads abutting the property and from adjacent residential users.
  - (g) Maintenance plan which describes the applicant's approach to maintaining the facility after construction, including the panels and associates supporting structures, as well as the property on which the facility is installed.
  - (h) A decommissioning plan, pursuant to Sec. 148-60.2H.

E. Additional standards for all solar energy facilities.

- (1) Sound-pressure levels generated by facilities at a property line shall not exceed 40 dba.
- (2) Solar panels shall not be counted in the calculation of maximum impervious cover unless the area under the panels (excluding any footings) consists of an impervious material. The design of the facilities shall comply with all New Jersey Department of Environmental Protection and Township stormwater, grading and soil disturbance regulations, whichever is more restrictive.
- (3) The use of concrete, asphalt or other impervious surface, including gravel, is prohibited on the site of ground-mounted facilities, except in the following locations:
- (a) The mounting of inverters, transformers, power conditioning units, control boxes, pumps and other such facility components;
  - (b) The mounting of solar panels, films and arrays when used as ballast;
  - (c) Driveway aprons; and
  - (d) Portions of roads and driveways where necessary to provide stability for vehicles.
4. All electrical and control equipment shall be labeled and secured to prevent unauthorized access.
5. Transmission lines shall be underground.

***Ordinance #11-2018 cont'd:***

6. The only signs permitted on a solar energy facility or any associated building or structure are those depicting the manufacturer's or installer's identification, or appropriate warning signs, or owner identification.

**F. Wind energy facilities.**

(1) The minimum lot area upon which a wind energy facility is located shall be 20 acres.

(2) Sound-pressure levels at a property line shall not exceed 40 dba.

(3) Height of a wind energy facility shall be measured by the vertical distance from the ground to the tip of a wind generator blade when the tip is at its highest point.

(4) The maximum permitted height of the facility shall be the maximum permitted building height in the zone district in which it is located.

(5) The facility shall be set back from all property lines and utility lines a horizontal distance equal to 150% of the facility height. However, the minimum setback to a residential use or zone shall be 300 feet.

(6) Electrical distribution equipment (excluding switchgear stations) shall be set back a minimum of 150 feet, or not less than 200 feet from a residential use or district.

(7) Electrical distribution equipment shall be enclosed and secured with a fence or wall.

(8) Facilities shall not be located within a front yard.

(9) No portion of the wind generator shall extend into any public right-of-way, unless written permission is granted by the government entity with jurisdiction over the right-of-way, or any overhead utility lines, unless written permission is granted by the utility that owns and/or controls the lines.

(10) The facility shall be designed and installed so as not to provide step bolts, a ladder, or other publicly accessible means of climbing the tower, for a minimum height of 8 feet above the ground.

(11) All electrical and control equipment shall be labeled and secured to prevent unauthorized access.

(12) The only signs permitted on a facility or any associated building or structure are those depicting the manufacturer's or installer's identification, appropriate warning signs, or owner identification.

(13) Transmission lines shall be underground.

(14) Visual screening of the site shall include an opaque fence or wall with a minimum height of six feet and a fifty-foot screening buffer pursuant to Sec. 148-63.

(15) There shall be no increase in illumination levels at property lines and no visible light source from adjacent properties or public streets/rights-of-way, except for security/emergency lighting.

(16) Lighting of the wind generators shall be prohibited unless such lighting is required by the Federal Aviation Administration.

(17) The facility shall be a neutral color that is appropriate for its location and will allow the tower to be as unobtrusive as possible, unless otherwise required by the Federal Aviation Administration.

**Ordinance #11-2018 cont'd:**

- (18) Facilities shall comply with the applicable Federal Aviation Administration regulations and must receive any necessary Federal Aviation Administration permits.
- (19) Facilities shall comply with the applicable Department of Environmental Protection regulations and must receive any necessary permits from the Department of Environmental Protection.
- (20) Wind energy facilities shall require major site plan approval and shall submit the following as part of the documentation for site plan approval:
  - (a) Location of proposed and existing underground or overhead utility or transmission lines.
  - (b) Location of any proposed or existing substations, inverters or transformers.
  - (c) Description of any necessary upgrades or modifications to existing substations and utility lines, both on and off site.
  - (d) Description of any new substations and utility lines, both on and off site.
  - (e) Description of how the energy generated by the facility will be connected to the electrical distribution or transmission facility or the electrical facility of the intended energy user.
  - (f) Photographic simulations of the views of the proposed facility from ground level from all public roads abutting the property and from adjacent residential uses.
  - (g) Maintenance plan which describes the applicant's approach to maintaining the facility after construction, including the wind generator and associated supporting structures, as well as the property on which the facility is installed.
  - (h) A decommissioning plan, pursuant to Sec. 148-60.2H.

**SECTION 3.** Renumber and/or name, as applicable, the following sub-sections of Sec. 148-60.2 as follows:

- G. Abandonment.
- H. Decommissioning Plan.

**SECTION 4.** Article IV “District Regulations”, Section 148-14 SRR Special Resource Residential Zone, subsection B, Accessory Uses - SRR Zone is amended as follows;

- (10) ~~Integrated~~ Building-mounted solar energy facilities as regulated in Sec. 148-60.2.

**SECTION 5.** Article IV “District Regulations”, Section 148-15 AR Agricultural Residential Zone, subsection B, Accessory Uses - AR Zone is amended as follows:

- (12) ~~Integrated~~ Building-mounted and ground-mounted solar energy facilities as regulated in Sec. 148-60.2.
- (13) Farm-scale renewable energy facilities as regulated in Sec. 148-60.2

**SECTION 6.** Article IV “District Regulations”, Section 148-16 RR Rural Residential Zone, subsection B, Accessory Uses - RR Zone is amended as follows:

- (12) ~~Integrated~~ Building-mounted and ground-mounted solar energy facilities as regulated in Sec. 148-60.2.

**Ordinance #11-2018 cont'd:**

(13) Farm-scale renewable energy facilities as regulated in Sec. 148-60.2

**SECTION 7.** Article IV “District Regulations”, Section 148-16.1 HR Hamlet Residential Zone, subsection B, Accessory Uses - HR Zone is amended as follows:

(12) ~~Integrated~~ Building-mounted and ground-mounted solar energy facilities as regulated in Sec. 148-60.2.

**SECTION 8.** Article IV “District Regulations”, Section 148-17 R-1 Residential One-Acre Zone, subsection B, Accessory Uses - R-1 Zone is amended as follows:

(12) ~~Integrated~~ Building-mounted and ground-mounted solar energy facilities as regulated in Sec. 148-60.2.

**SECTION 9.** Article IV “District Regulations”, Section 148-18 VR Village Residential Zone, subsection B Accessory Uses for single family homes in VR Zone is amended as follows:

(12) ~~Integrated~~ Building-mounted solar energy facilities as regulated in Sec. 148-60.2.

**SECTION 10.** Article IV “District Regulations”, Section 148-19 PND Planned Neighborhood Development Zone, subsection B, Accessory Uses - PND Zone is amended as follows:

(9) ~~Integrated~~ Building-mounted solar energy facilities as regulated in Sec. 148-60.2.

**SECTION 11.** Article IV “District Regulations”, Section 148-20 PND-1 Planned Neighborhood Development Zone, subsection B, Accessory Uses - PND-1 Zone is amended as follows:

(9) ~~Integrated~~ Building-mounted solar energy facilities as regulated in Sec. 148-60.2.

**SECTION 12.** Article IV “District Regulations”, Section 148-21 B Business Zone, subsection B, Accessory Uses - B Zone is amended as follows:

(8) ~~Integrated~~ Building-mounted and ground-mounted solar energy facilities as regulated in Sec. 148-60.2.

(9) ~~Accessory solar energy facilities~~ Solar parking canopies as regulated in Sec. 148-60.2.

**SECTION 13.** Article IV “District Regulations”, Section 148-22 VC Village Commercial Zone, subsection B, Accessory Uses - VC Zone is amended as follows:

(8) ~~Integrated~~ Building-mounted solar energy facilities as regulated in Sec. 148-60.2

~~(9) Accessory solar energy facilities as regulated in Sec. 148-60.2.~~

**SECTION 14.** Article IV “District Regulations”, Section 148-22.1 PO Professional Office Zone, subsection B, Accessory Uses- PO Zone is amended as follows:

(4) ~~Integrated~~ Building-mounted and ground-mounted solar energy facilities as regulated in Sec. 148-60.2.

(5) ~~Accessory solar energy facilities~~ Solar parking canopies as regulated in Sec. 148-60.2.

**SECTION 15.** Article IV “District Regulations”, Section 148-22.2 VH Village Hospitality Commercial Zone, subsection B, Accessory Uses - VH Zone, is amended as follows:

~~(5) Integrated solar energy facilities as regulated in Sec. 148-60.2.~~

~~(6) Accessory solar energy facilities as regulated in Sec. 148-60.2.~~

**Ordinance #11-2018 cont'd:**

- (5) Other uses and structures customarily incidental to a principal permitted use.

**SECTION 16.** Article IV “District Regulations”, Section 148-23 ROM-1 Research Office and Manufacturing Zone, subsection B, Principal Permitted uses - ROM-1 Zone, is amended as follows:

- (1) On lots less than 10 acres. One or more of the following uses:

~~(e) Stand alone renewable energy facilities.~~

(e) Product assembly.

(f) Wholesaling.

(3) On a parcel or parcels of land comprising 20 or more contiguous acres that are in common ownership, the following uses shall be permitted:

(a) ~~Stand alone~~ Solar energy facilities as regulated in Sec. 148-60.2

(b) ~~Stand alone~~ Wind energy facilities as regulated in Sec. 148-60.2.

**SECTION 17.** Article IV “District Regulations”, Section 148-23 ROM-1 Research Office and Manufacturing Zone, subsection C, Accessory uses - ROM-1 Zone, is amended as follows:

(9) ~~Integrated~~ Building-mounted and ground-mounted solar energy facilities as regulated in Sec. 148-60.2

(10) ~~Accessory solar energy facilities~~ Solar parking canopies as regulated in Sec. 148-60.2

(11) Wind energy facilities as regulated in Sec. 148-60.2

**SECTION 18.** Article IV “District Regulations”, Section 148-24 ROM-2 Research Office and Manufacturing Park Zone, subsection B, Permitted Principal Uses - ROM-2 Zone, is amended as follows:

(10) Renewable energy facilities on a parcel or parcels of land comprising 20 or more contiguous acres that are in common ownership, as regulated in Sec. 148-60.2 ~~the following uses shall be permitted.~~

~~(a) Stand alone solar energy facilities as regulated in Sec. 148-60.2.~~

~~(b) Stand alone wind energy facilities as regulated in Sec. 148-60.2.~~

**SECTION 19.** Article IV “District Regulations”, Section 148-24 ROM-2 Research Office and Manufacturing Park Zone, subsection C, Accessory Uses - ROM-2 Zone, is amended as follows:

(9) ~~Accessory~~ Building-mounted and ground-mounted solar energy facilities as regulated in Sec. 148-60.2.

(10) ~~Integrated solar energy facilities~~ Solar parking canopies as regulated in Sec. 148-60.2.

**SECTION 20.** Article IV “District Regulations”, Section 148-25 RO Research Office Zone, subsection C, Accessory Uses - RO Zone, is amended as follows:

(12) ~~Integrated~~ Building-mounted and ground-mounted solar energy facilities as regulated in Sec. 148-60.2

(13) ~~Accessory solar energy facilities~~ Solar parking canopies as regulated in Sec. 148-60.2.

**Ordinance #11-2018 cont'd:**

**SECTION 21.** Article IV “District Regulations”, Section 148-26 RO-1 Research Office Zone, subsection C, Accessory Uses - RO-1 Zone, is amended as follows:

- (9) ~~Integrated~~ Building-mounted and ground mounted solar energy facilities as regulated in Sec. 148-60.2.
- (10) ~~Accessory solar energy facilities~~ Solar parking canopies as regulated in Sec. 148-60.2.

**SECTION 22.** Article IV “District Regulations”, Section 148-27 PND-2 Planned Neighborhood Development Zone, subsection C, Permitted Accessory Uses - PND-2 Zone, is amended as follows:

- ~~(9) Integrated solar energy facilities as regulated in Sec. 148-60.2.~~

**SECTION 23.** Article IV “District Regulations”, Section 148-27.1 SC-2 Senior Citizen Zone -2 Zone, subsection D, Accessory Uses is amended as follows:

- (14) ~~Integrated~~ Building-mounted solar energy facilities as regulated in Sec. 148-60.2.

**SECTION 24.** Article IV “District Regulations”, Section 148-27.3 SC-4 Senior Citizen - 4 Overlay Zone, subsection D, Bulk Requirements (12) Accessory Uses, is amended as follows:

- (1) ~~Integrated~~ Building-mounted solar energy facilities as regulated in Sec. 148-60.2.

**SECTION 25.** Article IV “District Regulations”, Section 148-27.4 Solberg-Hunterdon Air Safety and Historic Airport District (overlay district), subsection F, Permitted accessory uses within the historic airport subarea, is amended to add the following:

- (17) Building-mounted and ground-mounted solar energy facilities as regulated in Section 148-60.2
- (18) Solar parking canopies as regulated in Sec. 148-60.2.

**SECTION 26.** All other language not specifically changed by this ordinance amendment shall remain in full force and effect.

**SECTION 27.** This ordinance supersedes any ordinances, sections or portion(s) of the Land Use or any other Township ordinance inconsistent herewith.

**SECTION 28.** If the provision of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

**SECTION 29.** This ordinance shall take effect immediately upon final passage and publication in accordance with law and upon filing with the Hunterdon County Planning Board.

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

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

*The Public Hearing was scheduled for August 6, 2018 at 7:45 p.m.*

2. ***Request for Township to Vacate Easement / Block 46, Lot 24.08 (6 Kinney's Saw Mill Road)***

Mayor Smith stated that at the last meeting a request was made by the Committee to notify the Renos to inquire about their interest in vacating the easement. Mayor Smith continued that the Renos responded with an email, dated June 27, 2018, informing the Township that they had no objection with the removal of the easement. Attorney Dragan advised that the next step would be to vacate the easement via an ordinance, which would authorize a deed back to the Rutledges.

A ***MOTION*** was made by Mrs. Fort to authorize Attorney Dragan to prepare an ordinance vacating the easement, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

***NEW BUSINESS***

- \* 1. ***Resolution to Renew 2018/19 Alcoholic Beverage Control License***
- ♦ ***Melinda McPhail***
  - ♦ ***Kalli2 LLC (T/A Nik's Wunderbar)***

This matter was addressed under the Consent Agenda.

- \* 2. ***Acceptance of 2017 Audit Report***

This matter was addressed under the Consent Agenda.

- \* 3. ***Corrective Action Plan to 2017 Audit***

This matter was addressed under the Consent Agenda.

- \* 4. ***Release of Escrow / Black River Roasters (Block 7, Lot 4)***

This matter was addressed under the Consent Agenda.

- \* 5. ***Release of Escrow / Cellco Partnership (Block 14, Lot 49)***

This matter was addressed under the Consent Agenda.

- \* 6. ***Resolution Approving the Use of the Morris County Cooperative Pricing Council (MCCPC) to Construct the Various Improvements to Van Horne Road***

This matter was addressed under the Consent Agenda.

***ADMINISTRATOR'S REPORT***

Administrator Mekovetz reported that she presented the Committee with a letter to residents informing them that a tree on their property would be treated for emerald ash borer and requested approval from the Committee to move forward with the letter. Mr. Albanese stated if a resident is not aware of the situation regarding the emerald ash borer they may not be concerned, therefore suggested adding a sentence identifying the problem directly in the letter.

Neil Hendrickson, member of the Open Space Advisory Board, agreed that the language in the letter should include the identifying problem. Administrator Mekovetz indicated that on the website it does refer to the problem in the first paragraph as written, "*Ash trees in the Township are under attack by ash yellows disease and the emerald ash borer. Ash yellows is cause by mcyoplasmalike organisms and there currently is no known way to prevent or cure an effected tree.*"

A **MOTION** was made by to approve the draft letter to applicable residents with the addition of paragraph as indicated by Administrator Mekovetz, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

#### ***ATTORNEY'S REPORT***

Attorney Dragan reported that she is working with Administrator Mekovetz on the hunting permit ordinance.

#### ***COMMITTEE REPORTS***

##### **JOHN ALBANESE**

Mr. Albanese reported that the Summer Spectacular hosted by the Recreation was a successful event with over 400 people in attendance.

##### **M. ELIZABETH DUFFY**

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

##### **BETTY ANN FORT**

Mrs. Fort requested consideration from the Committee to allow her to draft a letter to East Whitehouse Fire Company and the County Emergency Dispatch to place Whitehouse Fire Company as their *first* backup on all their box alarms. Mrs. Fort stated currently East Whitehouse Fire Company uses Lebanon Borough, Oldwick and North Branch as their backups and it seems to risk the safety of Readington, in addition to the fact that Readington has upgraded their emergency services equipment through tax payer dollars.

A **MOTION** was made by Mrs. Fort to draft a letter to East Whitehouse Fire Company advising them that Whitehouse Fire Company will be their *first* backup on all of their box alarms with a copy to the County Emergency Dispatch, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

##### **BEN SMITH**

Mayor Smith stated that he has nothing further to report.

#### ***COMMENTS FROM THE PUBLIC***

Scott Scammell, Dreahook Road, asked if there was a status update on Unicom, the proposed purchaser of the Merck property.

#### ***COMMENTS FROM THE GOVERNING BODY***

Mrs. Fort stated that on the Readington Whitehouse Facebook page there were safety concerns expressed regarding the intersection at Pulaski, Kosciuszko and School Road and Chief Greco offered to be in attendance at tonight's meeting to address the concerns. Mrs. Fort gave a brief overview on some of the things that have already been done to improve the sight line including cutting down a tree and reaching out to Jay Troutman, a traffic expert, for recommendations on further improving the intersection.

Chief Greco stated that based on the number of accidents, it does not meet the National Highway Traffic Safety recommendation for a four (4) way stop sign. Chief Greco opined that there are better options and offered some suggestions to improve the intersection including striping it properly, cutting back some of the embankment and advanced warning signage. The Committee concurred that they would wait for the recommendations from Mr. Troutman.

As there was no further business, *A MOTION* was made by Mr. Albanese at 8:40 p.m. to adjourn the meeting, seconded by Mrs. Duffy with vote of ayes all, nays none recorded.

Respectfully Submitted:

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