

**READINGTON TOWNSHIP COMMITTEE
MEETING – September 4, 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, Mrs. M.E. Duffy, 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> |
|---|---|---|
| Department of Public Works..... | Personnel..... | Certain information at the discretion of the Township Committee tonight... other information will remain confidential |
| Municipal Court..... | Personnel..... | “ “ “ |
| Local No. 317 / Lieutenants..... | Contract Negotiations..... | “ “ “ |
| Professional Services / Affordable Housing Administrative Agent Services | Contract Negotiations..... | “ “ “ |
| Shared Services / Readington School.... Board of Education | Contract Negotiations..... | “ “ “ |
| Three Bridges Sewer / Oswald..... Enterprises, Inc. | Contract Negotiations..... | “ “ “ |
| Reno Farm / B 46, Lots 22.01 & 23. .. | Contract Negotiations..... | “ “ “ |
| Solar Land Lease / SolAmerica..... Energy | Contract Negotiations..... | “ “ “ |
| Executive Session Minutes..... | Attorney-Client Privilege..... | “ “ “ |
| • August 6, 2018 | | |

| | | | |
|---|---|---|---|
| Affordable Housing..... .. Potential Litigation..... .. | “ | “ | “ |
| Wells Fargo Bank, N.A. v..... .. Litigation..... .. | “ | “ | “ |
| Karen Malta and Mr. Karen Malta, Her Husband; State of New Jersey; Township of Readington | | | |
| 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 7:55 p.m.

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

Executive Session:

Personnel / Department of Public Works

A **MOTION** was made by Mrs. Fort to approve the hiring of Joseph Taillacq for the position of full-time Laborer, at salary pursuant to the bargaining unit contract for Public Works, Laborer 1, effective October 1, 2018, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

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

Personnel / Municipal Court

Mayor Smith stated that an order was received from Judge Gerard Shamey to appoint Ruth Mulligan as Acting Municipal Court Administrator.

Contract Negotiations / Local NO. 317 / Lieutenants

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Professional Services / Affordable Housing Administrative Agent Services

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Shared Services Agreement / Readington School Board of Education

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Three Bridges Sewer / Oswald Enterprises, Inc.

The following resolution was offered for consideration:

#R-2018-91

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SANITARY SEWER MAIN SMOKE TESTING FOR THREE BRIDGES AND HEDGEROW
ESTATES***

WHEREAS, there exists a need in the Township of Readington for Sanitary Sewer Smoke Main Testing for Three Bridges and Hedgerow Estates; 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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington as follows:

1. That the following contract has been awarded:

- Oswald Enterprises, Inc. for Sanitary Sewer Smoke Testing for Three Bridges and Hedgerow Estates at a cost of \$17,010.00

2. Said contract shall expire on December 31, 2018.

3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.

4. 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 |
| Mr. Heller | - Aye |
| Mayor Smith | - Aye |

Contract Negotiations / Reno Farm / Block 46, Lots 22.01 and 23

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Solar Land Lease / SolAmerica Energy

Mayor Smith stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / August 6, 2018

A MOTION was made by Mrs. Fort to approve the Executive Session Minutes of August 6, 2018 for content only, seconded by Mr. Heller with a vote of ayes all, nays none recorded.

Potential Litigation / Affordable Housing

A ***MOTION*** was made by Mrs. Fort to amend the agreement with Nassau Capital Advisers LLC to include Block 15, Lot 28, seconded Mr. Albanese and on Roll Call vote the following was recorded:

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

Litigation / Wells Fargo Bank, N.A. vs. Karen Malta and Mr. Karen Malta, Her Husband; State of New Jersey Township of Readington

Mayor Smith stated that this case was dismissed with prejudice since the default on the loan was paid.

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 provided an update on the status of the litigation and added that it was determined by the Judge that the Township did not violate the developer's civil rights.

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.

Mrs. Duffy requested to remove *Item #13 Under New Business* from the Consent Agenda.

- * 1. **APPROVAL OF MINUTES** of meeting of August 6, 2018
- * 2. ***Release of Escrow / Hunterdon Christian Church*** (Block 94, Lot 12.03)
- * 3. ***Release of Hunting Security Deposit***
 - ◆ Block 57, Lot 2 (2016-17 Hunting Season)
 - ◆ Block 52.01, Lot 14.06 (2016-17 Hunting Season)
 - ◆ Block 25, Lots 19 & 20 (2017-18 Hunting Season)
 - ◆ Block 57, Lot 2 (2017-18 Hunting Season)
- * 4. ***Board of Health Resolution, Statements of Consent and WQMP for Profeta Farms***

* 5. ***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 15, Lot 13 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 \$115,991.42, known as Tax Sale Certificate #2012-004, to the lienholder, Nikolaos Katogiritis.

* 6. ***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 53, Lot 7.10 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 \$44,996.41, plus a premium paid in the amount of \$55,100.00, known as Tax Sale Certificate #2016-006, to the lienholder, BV002 Trust.

* 7. ***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 | \$ 225.95 |
| CURRENT FUND | 8-01 | \$1,359,744.98 |
| SEWER APPROPRIATIONS | 8-02 | \$ 104,080.89 |
| TRUST FUNDS | X-03 | \$ 167,006.73 |
| MISC REFUND, COUNTY TAX, LIENS | X-05 | \$ 236,114.44 |
| PAYROLL DEDUCTIONS | X-06 | \$ 389,323.58 |
| REG & LOCAL SCHOOL TAX | X-07 | \$5,624,435.78 |
| 2016 CAPITAL IMPROVEMENTS | X-16 | \$ 13,579.00 |
| 2017 CAPITAL IMPROVEMENTS | X-17 | \$ 5,322.00 |
| 2018 CAPITAL IMPROVEMENTS | X-18 | <u>\$ 16,461.00</u> |
| TOTAL OF ALL FUNDS | | \$7,916,294.35 |

A **MOTION** was made by Mrs. Fort to approve the Consent Agenda (*with the removal of Item #13 Under New Business*), seconded by Mr. Albanese and on Roll Call vote the following was recorded:

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

COMMENTS FROM THE PUBLIC for items listed on the agenda only

Bob Schoenfeld, Oldwick Road, commented on the farmland status of Block 46, Lot 22.02.

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 Mr. Heller with a vote of ayes all, nays none recorded.

Clerk read by Title:

*An Ordinance Amending and Supplementing the Readington Township
2017 Salary Ordinance for Officers and Employees of the
Township of Readington*

◆ *Ordinance #12-2018*

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 Amending and Supplementing the Readington Township
2017 Salary Ordinance for Officers and Employees of the
Township of Readington*

◆ *Ordinance #12-2018*

A **MOTION** was made by Mrs. Duffy to adopt this ordinance, 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 |

CORRESPONDENCE / OTHER INFORMATION

1. Memorandum dated August 7, 2018 from Judith Sullivan, RMC, Township of Bedminster, regarding *An Ordinance to Address the Requirements of the Fair Share Housing Act and the Uniform Housing Affordability Controls (UHAC) regarding compliance with Bedminster Township's Affordable Housing Obligations*. No action taken.

2. Notice to Public Service Electric and Gas Company Electric Customers regarding:
 - a. *The Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Electric Solar Pilot Recovery Charge for its Solar Loan 1 Program*
 - b. *The Matter of Public Service Electric and Gas Company's 2018-19 Annual BGSS Commodity Charge Filing for its Residential Gas Customers under its Periodic Pricing Mechanism and for Changes in its Balancing Charge*
 - c. *The Matter of the 2017/18 Annual Compliance Filings for a Change in the Statewide Electric and Gas Permanent Universal Service Fund Program Factors within the Electric and Gas Societal Benefits Charges Rates Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1.*
 - d. *The Matter of the Petition of Public Service Electric and Gas Company for Approval of Changes in its Electric Green Programs Recovery Charge and its Gas Green Programs Recovery Charge.*
No action taken.

3. Email dated August 12, 2018 from National Alliance on Mental Illness (NAMI) Hunterdon *regarding a Resolution for Suicide Prevention Month Awareness.*

The following resolution was offered for consideration:

#R-2018-92

**TOWNSHIP OF READINGTON RESOLUTION
NATIONAL SUICIDE PREVENTION AWARENESS MONTH**

WHEREAS, suicide continues to be a serious but preventable public health problem that can have lasting harmful effects on individuals, families, and communities; and

WHEREAS, nationally, suicide is the ninth leading cause of death overall and the third leading cause of death among Americans aged 5 to 14 and the second leading cause of death among Americans aged 15 to 24; and

WHEREAS, most recent data shows that in New Jersey suicide has decreased to 9.7 self-inflicted deaths per 100,000 people demonstrating that through education and public awareness, suicide rates can improve; and

WHEREAS, the best way to minimize risk of suicide is to learn about risk factors, recognize warning signs and take them seriously, and know how to respond to possibly save a life; and

WHEREAS, National Alliance on Mental Illness – Hunterdon Chapter (NAMI Hunterdon) is proud to partner with Hunterdon County Stigma Free Task Force to end the bigotry against people afflicted with mental illness; and

WHEREAS, local suicide prevention efforts including Hunterdon's Stigma Free Task Force work to raise awareness, eliminate stigma, promote suicide prevention as a public health issue and increase help-seeking behavior; and

WHEREAS, effective prevention strategies are needed to promote awareness of suicide while also promoting prevention, resilience, and a commitment to social change; and

WHEREAS, NAMI Hunterdon invites all residents of Hunterdon County to become educated about suicide and participate in National Suicide Prevention Awareness Month; and

NOW, THEREFORE, the Township Committee of the Township of Readington, County of Hunterdon, do hereby recognize September 2018 as **NATIONAL SUICIDE PREVENTION AWARENESS MONTH** throughout the Township of Readington, County of Hunterdon; and

AND BE IT FURTHER RESOLVED that the Readington Township Committee calls upon our citizens to take the CureStigma test today to see if they are affected by stigma at CureStigma.org and pledge to be stigma free.

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

4. Memorandum dated August 14, 2018 from Maggie Schmitt, Municipal Clerk, Township of Branchburg regarding ***An Ordinance Amending the Land Development Ordinance Amending the Land Development Ordinances of the Township of Branchburg by Adding a New “AH-s – Route 22 Planned Residential/Affordable Housing” Zone and Associated Regulations and Definition Changes.*** No action taken.
5. Memorandum dated August 14, 2018 from Maggie Schmitt, Municipal Clerk, Township of Branchburg regarding ***An Ordinance for the Protection of Certain Owners of Affordable Housing by Amending Article XIII of the Land Development Ordinances of the Township of Branchburg to Require Compliance with Existing Agreements for Limiting Homeowner Association Fees.*** No action taken.
6. Letter dated August 16, 2018 from Thomas Mathews, PE, Director of Public Works/County Engineer, Hunterdon County, regarding ***An Application for a Flood Hazard Area Permit and a Freshwater Wetlands Permit to NJDEP for Reconstruction of a County Culvert R-167, Barley Sheaf Road over Tributary to South Branch Raritan River.*** (Entire File in Clerk’s Office for Review) No action taken.
7. Notice of Public Service Electric and Gas Company Electric Customers regarding ***Notice of Filing and Public Hearings for Basic Generation Service Charges Procured by PSE&G on Behalf of it’s Basic Generation Service Customers and Notice of Proposed Recovery through it BGS Charges of Costs Resulting from Statewide Auction for Basic Generation Service.*** No action taken.

OLD BUSINESS

1. ***An Ordinance to Vacate a Portion of Nelson Street Located in the Township of Readington, in the County of Hunterdon and State of New Jersey***

Mayor Smith explained that this is a paper road and it extends Nelson Street to the cul-de-sac for Whitehouse Village which is not needed for the Nelson Street development; therefore, they are asking the Township to vacate that portion of the street.

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE VACATION OF A PORTION OF A PAPER STREET KNOWN AS NELSON STREET LOCATED BETWEEN BLOCK 34, LOTS 10 AND 11 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY, PREVIOUSLY DEDICATED FOR PUBLIC ROADWAY PURPOSES

Ordinance #13 -2018

WHEREAS, a 50' wide paper street known as Nelson Street was dedicated for public roadway purposes as set forth on a map entitled "Revised Map of Property Owned by A.D. Thompson situated at White House Hunterdon Co, NJ, Jan. 1895" which map was filed in the Hunterdon County Clerk’s Office as map #7 (no file date on original map); and

WHEREAS, portions of the aforementioned paper street are adjacent to Block 32, Lot12 and Block 34, Lots 10 and 11 on the Readington Township Tax Map, which properties are currently owned by the Township of Readington; and

WHEREAS, Block 32, Lot 12 and Block 34, Lots 10 and 11 are the subject of an application for development approval made by Whitehouse Urban Renewal Associates, LLC ("Developer") which Developer will also eventually own those properties pursuant to a redevelopment agreement with the Township. According to Developer's plans, an approximately .203 acre portion of Nelson Street located between Block 34, Lots 10 and 11 as described below in Section 2 of this Ordinance will not be utilized for roadway purposes; therefore, Developer has requested that the .203 acre portion of Nelson Street in question be vacated and that the vacated property be apportioned between Block 34, Lots 10 and 11; and

Ordinance #13-2018 cont'd:

WHEREAS, both the Township Committee and the Township Planning Board have reviewed the .203 acre portion of Nelson Street requested to be vacated by the Developer and have determined that given the traffic circulation plans proposed by the Developer as part of the development, it is not needed for use as a public road and that the Township need not retain same; and

WHEREAS, the Township agrees that, except for a 20' wide sanitary sewer easement running through Nelson Street, which is described in Deed Book 882, page 757 and which easement interest the Township wishes to retain as it crosses Nelson Street, a release and extinguishment of whatever rights and interest the public may have in the .203 acre portion of Nelson Street that Developer has requested be vacated, is in the public interest.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, pursuant to the provisions of N.J.S.A. 40:67-1 et seq., as follows:

SECTION 1. The preambles recited above are made a part of this Ordinance as if fully set forth herein.

SECTION 2. Those lands known as a .203 acre portion of property located within the 50' wide paper street known as Nelson Street which was previously dedicated for public roadway purposes as set forth on a map entitled "Revised Map of Property Owned by A.D. Thompson situated at White House Hunterdon Co, NJ, Jan. 1895" filed in the Hunterdon County Clerk's Office as map #7, and more particularly described on Schedule A, attached hereto, are hereby vacated. As part of the vacation, all public rights within the aforementioned .203 acre portion of Nelson Street are extinguished, except for that portion of a 20' wide sanitary sewer easement crossing Nelson Street between Block 34, Lots 10 and 11 and described in Deed Book 882, page 757 recorded in the Hunterdon County Clerk's Office.

SECTION 3. The portion of Nelson Street being vacated by this Ordinance (subject to the rights being retained by the Township in the 20' wide sanitary sewer easement referred to in Section 2 above) shall revert to the property owner(s) of Block 34, Lots 10 and 11 as follows: 4,392 sq. ft. to Lot 10 and 4,466 sq. ft. to Lot 11 as depicted on the map attached hereto.

SECTION 4. All the rights of any and all public utilities and/or cable television/internet providers are hereby expressly reserved and excepted from this vacation.

SECTION 5. A copy of the map depicting the portion of Nelson Street to be vacated, along with the proposed deed(s) and Schedule A description, shall be made and kept available at the Readington Township Clerk's Office for public inspection.

SECTION 6. The Mayor, Deputy Mayor, Township Clerk and Township Attorney, as applicable, are authorized to prepare and execute the appropriate deeds or any other documentation necessary to convey the vacated property to the owners of Block 34, Lots 10 and 11 for and in consideration of \$1.00.

SECTION 7. All ordinances of the Township of Readington which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 8. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 9. This ordinance shall take effect immediately upon final adoption and publication according to law, and upon the recording of a certified copy of this ordinance and appropriate deed(s) in the Hunterdon County Clerk's office, and after notice is given pursuant to N.J.S.A. 40:49-6.



July 19, 2018

Nelson Street Right Of Way Vacation

Becoming part of Block 34
Township of Readington,
Hunterdon County, New Jersey

BEGINNING at a point in the northeasterly sideline of Nelson Street (50' ROW – Tax Map; Unimproved), where the same is intersected with the extended southeasterly sideline of Cleveland Place (50' ROW – Tax Map; Unimproved) and running, thence;

1. Along said northeasterly sideline, South 72 degrees 35 minutes 52 seconds East, a distance of 173.18 feet to a point and northeast corner of Nelson Street, thence;
2. Along the westerly sideline of Nelson Street, South 17 degrees 16 minutes 41 seconds West, a distance of 46.73 feet to a point and southeast corner of Nelson Street, thence;
3. Along the southwesterly sideline of Nelson Street, North 78 degrees 45 minutes 52 seconds West, a distance of 30.43 feet to an angle point in same, thence;
4. Along said southwesterly sideline of Nelson Street, North 72 degrees 35 minutes 52 seconds West, a distance of 152.88 feet, to a point in the southeasterly sideline of Cleveland Place, thence;
5. North 28 degrees 33 minutes 08 seconds East, a distance of 50.96 feet to the point and place of BEGINNING.

Containing 8,858 square feet more or less, 0.203 acre more or less.

The above described property is subject to the rights and restrictions of easements, if any, being within and/or crossing the bounds as described above.

The description above is written in accordance with a map entitled “Lot Consolidation Plan, Whitehouse Urban Renewal Associates, LLC., Willows at Whitehouse Station, Block 32, Lot 12 & Block 34, Lots 8, 10 & 11, Main Street (CR 523) & Whitehouse Avenue, Township of Readington, Hunterdon County, New Jersey”, prepared by Dynamic Engineering, dated 03/30/2018 and last revised through 06/21/2018.

7-19-18

Craig Black, PE, PLS Date
Professional Engineer and Land Surveyor
NJ License No. 24GB04257400

Schedule “A”

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

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

The Public Hearing was scheduled for October 1, 2018 at 7:45 p.m.

NEW BUSINESS

1. ***An Ordinance to Provide for the Acceptance of a Road Right-of-Way Easement Dedicated on a Portion of Block 93, Lot 90 in the Township of Readington, County of Hunterdon and State of New Jersey for the Extension of Case Avenue***

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF A ROAD RIGHT-OF-WAY EASEMENT DEDICATED ON A PORTION OF BLOCK 93, LOT 90 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FOR THE EXTENSION OF CASE AVENUE

Ordinance#14-2018

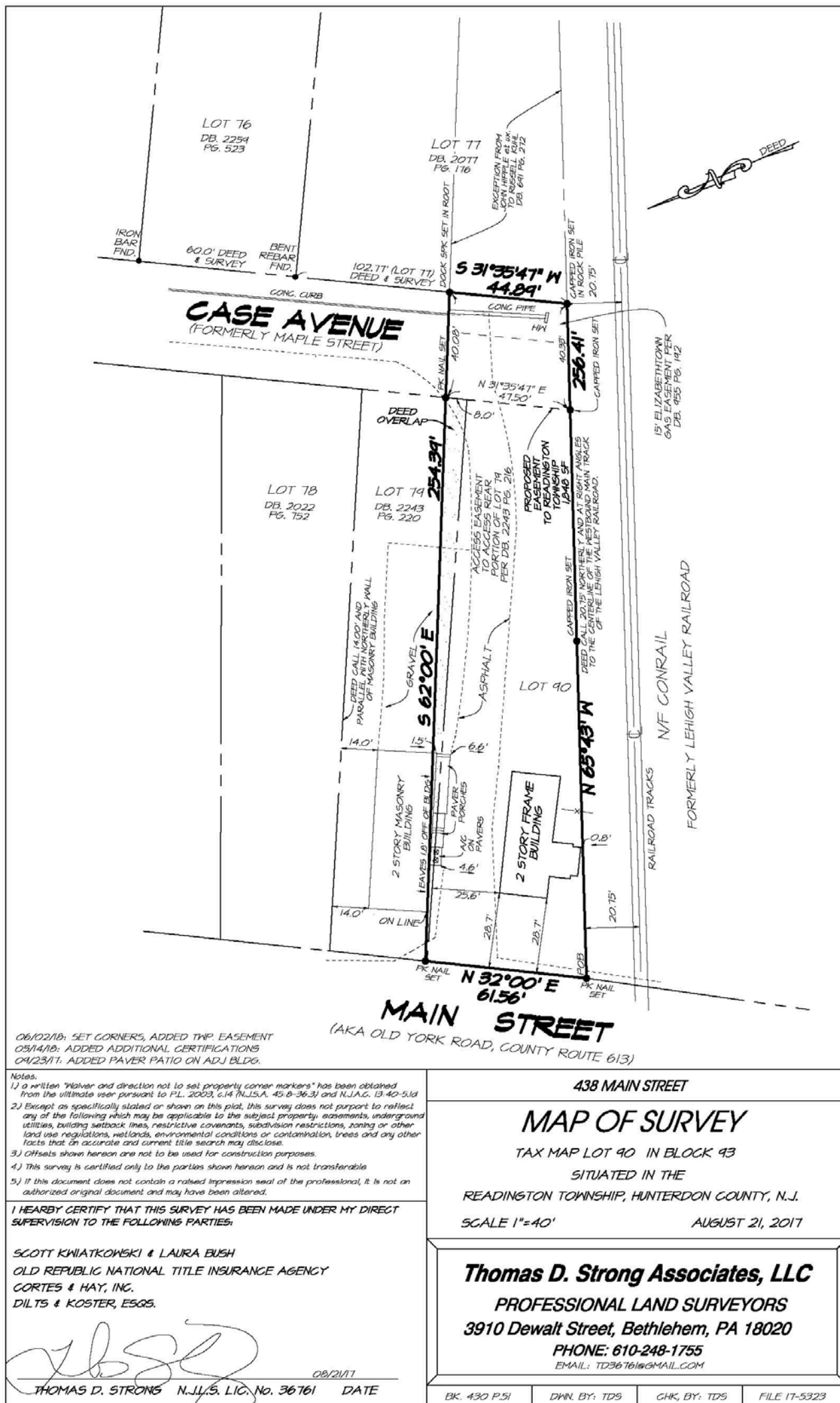
BE IT ORDAINED by the Mayor and Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, as follows:

Section 1. The Township of Readington does hereby accept the dedication of an easement for public roadway purposes over a portion of Block 93, Lot 90 in the Township of Readington made by the property owner Three Bridges Station, LLC, a New Jersey Limited Liability Company. Acceptance of the easement will extend the current Case Avenue right-of-way *to a new terminus* as shown on the map attached hereto as Schedule A. The legal metes and bounds description of the aforementioned easement to be accepted is more particularly described within the easement document which is on file in the office of the Readington Township Clerk at the municipal building, 509 Route 523, Whitehouse Station, N.J and may be inspected during regular business hours.

Section 2. This easement is being acquired pursuant to N.J.S.A. 40A:12- 4 and 5, et seq., and any other applicable law. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. Effective Date.

This ordinance shall take effect immediately upon final adoption and publication according to law and upon recording the easements and this Ordinance in the Hunterdon County Clerk's Office.



06/02/18: SET CORNERS, ADDED TWP. EASEMENT
 03/14/18: ADDED ADDITIONAL CERTIFICATIONS
 04/23/17: ADDED PAVER PATIO ON ADJ. BLDGS.

Notes:

- 1) A written "Waiver and direction not to set property corner markers" has been obtained from the ultimate user pursuant to P.L. 2003, c.14 (N.J.S.A. 45:8-36.3) and N.J.A.C. 13-40-5.1d
- 2) Except as specifically stated or shown on this plat, this survey does not purport to reflect any of the following which may be applicable to the subject property: easements, underground utilities, building setback lines, restrictive covenants, subdivision restrictions, zoning or other land use regulations, wetlands, environmental conditions or contamination, trees and any other facts that an accurate and current title search may disclose.
- 3) Offsets shown hereon are not to be used for construction purposes.
- 4) This survey is certified only to the parties shown hereon and is not transferable.
- 5) If this document does not contain a raised impression seal of the professional, it is not an authorized original document and may have been altered.

I HEREBY CERTIFY THAT THIS SURVEY HAS BEEN MADE UNDER MY DIRECT SUPERVISION TO THE FOLLOWING PARTIES:

SCOTT KWIATKOWSKI & LAURA BUSH
 OLD REPUBLIC NATIONAL TITLE INSURANCE AGENCY
 CORTES & HAY, INC.
 DILTS & KOSTER, ESQS.

[Signature]
 THOMAS D. STRONG N.J.L.S. LIC. No. 36761 DATE 08/21/17

438 MAIN STREET
MAP OF SURVEY
 TAX MAP LOT 90 IN BLOCK 93
 SITUATED IN THE
 READINGTON TOWNSHIP, HUNTERDON COUNTY, N.J.
 SCALE 1"=40' AUGUST 21, 2017

Thomas D. Strong Associates, LLC
 PROFESSIONAL LAND SURVEYORS
 3910 Dewalt Street, Bethlehem, PA 18020
 PHONE: 610-248-1755
 EMAIL: TD36761@GMAIL.COM

BK. 430 P.51 DWN. BY: TD5 CHK. BY: TD5 FILE 17-5323

A **MOTION** was made by Mrs. Duffy to introduce 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 |

The Public Hearing was scheduled for October 1, 2018 at 7:45 p.m.

- An Ordinance to Provide for the Vacation of Certain Right of Way Easements Located on Block 46, Lot 24.08 in the Township of Readington, County of Hunterdon and State of New Jersey, Previously Dedicated for the Future Extension of the Public Roadway Known as Kinney's Saw Mill Road***

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE VACATION OF CERTAIN RIGHT OF WAY EASEMENTS LOCATED ON BLOCK 46, LOT 24.08 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY, PREVIOUSLY DEDICATED FOR THE FUTURE EXTENSION OF THE PUBLIC ROADWAY KNOWN AS KINNEY'S SAW MILL ROAD

Ordinance #15-2018

WHEREAS, certain portions of land, one consisting of a 50' wide strip (.208+/-ac.) and another containing .010+/- acres, were dedicated for future public roadway purposes on Block 46, Lot 24.08 in the Township of Readington, as set forth on a filed map entitled "Final Plat of Carriage Hill", Studer and McEldowney drawing No. 1871-F filed in the Hunterdon County Clerk's Office on February 20, 1987, as Map No. 891, and as more particularly described on the map and description attached hereto as Schedule A; and

WHEREAS, Block 46, Lot 24.08 on the official tax map of Readington Township Tax Map is currently owned by Charles W. Rutledge and Jeanne M. Rutledge, Husband and Wife ("Owners of Block 46, Lot 24.08"), as set forth in a deed dated May 12, 1994 and recorded on June 24, 1994 in the Hunterdon County Clerk's Office in Book 1109, Page 826; and

WHEREAS, it appears from the filed map and the deed of conveyance, that the 50' strip (.208+/- ac.) and the .010+/- ac. easement areas located on Block 46, Lot 24.08 were reserved for the purpose of extending Kinney's Saw Mill Road to then Block 46, Lot 22 (now known on the official Tax Map of Readington Township as Block 46, Lot 22.01) in the event of a future subdivision of then Block 46, Lot 22; and

WHEREAS, after the filing of the above-mentioned Final Plat of Carriage Hill, the owners of adjacent Block 46, Lot 22.01 (formerly known as Lot 22) enrolled their property, through the Township, into the farmland preservation program administered by the New Jersey State Agriculture Development Committee and the County of Hunterdon. Accordingly the property formerly known as Block 46, Lot 22 is permanently preserved for agricultural purposes and is not subject to subdivision for a residential housing development.

WHEREAS, the Owners of Block 46, Lot 24.08 have requested the Township to vacate the .208 +/- acre and the .010+/- acre right-of-way easements which are located on their property. In addition, the current owners of Block 46, Lot 22.01, Grace and Peter Reno ("Renos") by way of correspondence forwarded to the Township on June 27, 2018, confirmed that they support vacation of the right-of-way easements; and

Ordinance #15-2018 cont'd:

WHEREAS, both the Township Committee and the Township Planning Board have reviewed the easements proposed to be vacated on Block 46, Lot 24.08 and have agreed that, in light of the farmland preservation of Block 46, Lot 22.01 and the consent of the Renos, that the easements are not needed for purposes of extending Kinney's Saw Mill Road and that the Township's (and the public's) interest in them may be vacated.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, pursuant to the provisions of N.J.S.A. 40:67-1 et seq., as follows:

SECTION 1. The preambles recited above are made a part of this Ordinance as if fully set forth herein.

SECTION 2. Those lands consisting of a 50' wide strip (.208+/-ac.) and another containing .010+/- acres, which were dedicated for future public roadway purposes on Block 46, Lot 24.08 in the Township of Readington, as set forth on a filed map entitled "Final Plat of Carriage Hill", Studer and McEldowney drawing No. 1871-F filed in the Hunterdon County Clerk's Office on February 20, 1987, as Map No. 891, and as more particularly described on the map and description attached hereto as Schedule A are hereby vacated and all public rights within them are extinguished. and

SECTION 3. The aforementioned lands being vacated by this Ordinance shall revert to the Owners of Block 46, Lot 24.08. As a result of this vacation, the Township hereby confirms that the cul-de-sac previously dedicated to the Township as part of the public roadway known as Kinney's Saw Mill Road as set forth on a filed map entitled "Final Plat of Carriage Hill", Studer and McEldowney drawing No. 1871-F filed in the Hunterdon County Clerk's Office on February 20, 1987, as Map No. 891 shall hereafter be noted in the public records as a permanent acceptance.

SECTION 4. A copy of the map depicting the easements intended to be vacated by this ordinance, along with the proposed deed and Schedule A description, shall be made and kept available at the Readington Township Clerk's Office for public inspection.

SECTION 5. The Mayor, Deputy Mayor, Township Clerk and Township Attorney, as applicable, are authorized to prepare and execute the appropriate deeds or any other documentation necessary to convey the vacated property to the Owners of Block 46, Lot 24.08 for and in consideration of \$1.00.

SECTION 6. All ordinances of the Township of Readington which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 7. If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 8. This ordinance shall take effect immediately upon final adoption and publication according to law, and upon the recording of a certified copy of this ordinance and appropriate deed(s) in the Hunterdon County Clerk's office, and after notice is given pursuant to N.J.S.A. 40:49-6.

SCHEDULE "A"

FUTURE ROADWAY EASEMENTS ON BLOCK 46, LOT 24.08 BEING VACATED:

Tract 1

BEGINNING at a point in the line of lands belonging to John Reno, Block 46, Lot 22, corner also to Lot 24.09, said point also being the same as the termination of course No. 3 mentioned above in the description of Lot 24.08 and running from said beginning point,

1. Along side line of lands of Lot 24.09 South 84 degrees 04 minutes 54 seconds East 194.37 feet to a point in the existing westerly right-of-way line of Kinney's Sawmill road; thence
2. By a line which runs along side right-of-way line and by a line which curves to the left having a radius of 62.00 feet and an arc length of 58.16 feet whose chord bears South 20 degrees 57 minutes 25 seconds East 56.05 feet to a point in said right-of-way line; thence
3. By a line which cuts through the above described Lot 24.08 North 84 degrees 04 minutes 54 seconds West 178.49 feet to a point in the line of lands belonging to John Reno, Block 46, Lot 22; thence
4. Along said line of lands of John Reno, Block 46, Lot 22 North 33 degrees 34 minutes 54 seconds West 64.80 feet to the place of beginning.

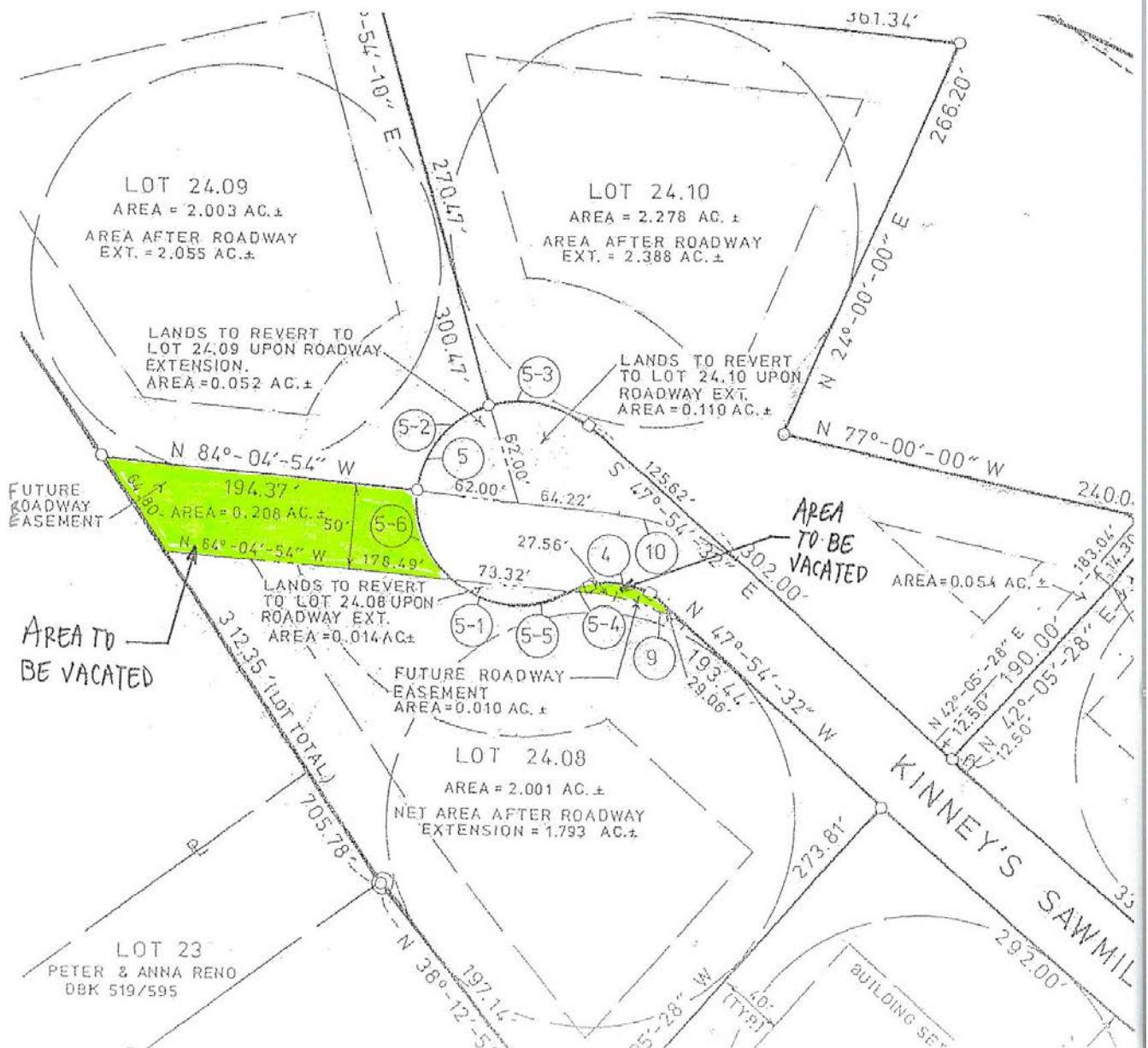
The above described future roadway easement containing a calculated area of 0.208acre of land, more or less.

Tract 2

BEGINNING at point of reverse curvature in the existing westerly right-of-way line of Kinney's Sawmill Road, said point also marking the termination of course No. 5 in the description of Lot 24.08 above and running from said beginning point the following two courses along the existing westerly right-of-way line of Kinney's Sawmill Road,

1. By a line which curves to the right having a radius of 38 feet and an arc length of 49.70 feet whose chord bears South 85degrees 22 minutes 29 seconds East 46.23 feet to a point of tangency; thence
2. South 47 degrees 54 minutes 32 seconds East 29.06 feet to a point in said westerly right-of-way line; thence
3. By the following two courses and by a line which cut through the above described Lot 24.08, by a line which curves to the left having a radius of 75.00 feet and an arc length of 47.35 feet whose chord bears North 65 degrees 59 minutes 43 seconds West 46.57 feet to a point of tangency; thence.
4. North 84 degrees 04 minutes 54 seconds West 27.56 feet to a point in the existing right-of-way line of Kinney's Sawmill Road; thence.
5. By a line which runs along said existing westerly right-of-way line of Kinney's Sawmill Road and by a line which curves to the left having a radius of 62.00 feet and an arc length of 2.71 feet whose chord bears North 58 degrees 24 minutes 54 seconds East 2.71 feet to the place of beginning.

The above roadway easement contains a calculated area of 0.010 area of land, more or less.



A **MOTION** was made by Mrs. Fort 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
- Mr. Heller - Aye
- Mayor Smith - Aye

The Public Hearing was scheduled for October 1, 2018 at 7:45 p.m.

3. ***An Ordinance Amending Section 148.22.1 (PO Professional Office Zone) to Restore Agriculture as a Permitted Principal Use***

A **MOTION** was made by Mrs. Fort to table this matter, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

4. ***Application for Special Events Permit and Request to Waive Application Fee / St. Elizabeth Ann's Seton's Annual Picnic***
 - ◆ September 16, 2018

Attorney Dragan advised that the Township does not have a provision in their ordinance to waive the fees for churches, clarifying that the Township can make this allowance for the emergency services since they are basically an extension of ourselves.

A **MOTION** was made by Mrs. Fort to approve the Special Events Permit and decline to waive the application fee for St. Elizabeth Ann Seton's Annual Picnic, as the Township does not have a provision in the ordinance allowing them to do so, seconded by Mr. Heller with a vote of ayes all, nays none recorded.

5. ***Application for Special Events Permit and Request to Waive all Township Fees / Whitehouse Rescue Squad 2018 Hay Day***
 - ◆ October 13, 2018 (rain date: October 27, 2018)

A **MOTION** was made by Mrs. Fort to approve the Special Events Permit and the request to waive all Township fees for 2018 Hay Day, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

6. ***Application for Special Events Permit / Regency at Readington Community Block Party***
 - ◆ September 15, 2018

A **MOTION** was made by Mrs. Fort to approve the Special Events Permit, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

7. ***Request to Hang Banner for Business Expo*** – letter dated August 6, 2018 from Christopher Phelan, President, Hunterdon County Chamber of Commerce

Mr. Albanese stated that he was unclear as to why they would remove the banner three (3) weeks prior to the event being held. Mrs. Fort indicated that normal protocol requests them to remove the banner no later than a week after the event. Mrs. Duffy suggested that the Committee approve the request two (2) weeks prior to the event and remove it within a week after the event. Mr. Heller stated that he would like to see how the banner actually reads. Mrs. Duffy proposed that the Township request clarification on the dates and provide a guideline with what the dates should be, along with requesting a drawing of the banner. This matter was deferred until the next meeting.

8. ***Request for Financial Support for Planters along Main Street*** – email dated August 23, 2018 from Beautification Committee

Mayor Smith that the Beautification Committee is requesting an additional \$300 for fall plantings along Main Street and further requesting that the Township obligate themselves for future plantings. Mayor Smith stated that he was in support of providing financial support for the plantings now; however, the Township cannot commit funding from next years budget for future plantings at this time. A suggestion was made for a possible future line item in the budget for the plantings.

A **MOTION** was made by Mrs. Fort to grant the Beautification Committee \$550 for the eleven (11) planters to be replanted for 2018, 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 |

9. **Ash Treatment Project / Bartlett Tree Experts** – email dated August 23, 2018 from Robert Becker

Mayor Smith stated that funds were made available to treat a variety of ash trees and there are still funds remaining allocated to treating more trees.

A **MOTION** was made by Mrs. Fort to allow the Ash Treatment Project with the remaining funds allocated, seconded by Mr. Heller with a vote of ayes all, nays none recorded.

10. **Proposed K9 Training Field** – memorandum dated August 27, 2018 from Sgt. Heycock

Administrator Mekovetz suggested deferring this matter to the next meeting since the K9 Officers were not available to attend this evening’s meeting to address questions.

- * 11. **Release of Escrow / Hunterdon Christian Church** (Block 94, Lot 12.03)

This matter was addressed under the Consent Agenda.

- * 12. **Release of Hunting Security Deposit**

- ◆ Block 57, Lot 2 (2016-17 Hunting Season)
- ◆ Block 52.01, Lot 14.06 (2016-17 Hunting Season)
- ◆ Block 25, Lots 19 & 20 (2017-18 Hunting Season)
- ◆ Block 57, Lot 2 (2017-18 Hunting Season)

This matter was addressed under the Consent Agenda.

13. **Resolution to Correct Property Removed from Farmland Status** (Block 46, Lot 22.02)

The Committee requested Administrator Mekovetz to obtain more detailed explanation on this matter.

- * 14. **Board of Health Resolution, Statements of Consent and WQMP for Profeta Farms**

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 on a case against the Township and the Hunterdon County Prosecutor's office with Digital First Media involving the release of a dashcam under OPRA. Attorney Dragan summarized the Supreme Court's decision Attorney Dragan and continued that the result of this favorable decision implies that the Township would not be responsible for the Plaintiff's attorney fees.

COMMITTEE REPORTS

JOHN ALBANESE

Mr. Albanese 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 reported on an incident at the Bull Riding event.

JONATHAN HELLER

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

BEN SMITH

Mayor Smith stated that he had nothing further to report.

COMMENTS FROM THE PUBLIC

Scott Scammell, Dreahook Road, commented on Item # 13 under New Business and also commented on the precedent of waiving application fees for events beneficial to the community.

Bob Schoenfeld, Oldwick Road, asked for an explanation of the legal protocol of vacating property. Mr. Schoenfeld thanked Mayor Smith and Mrs. Duffy for their time and effort to resolve the 388 Readington Realty litigation. Mr. Schoenfeld also asked about the status of public access on the property adjacent to the Silver Bit and Spur.

Jerry Cook, Railroad Avenue, commented on the logistics of the road work being done on School and Cole Road.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, ***A MOTION*** was made by Mrs. Duffy at 9:06 p.m. to adjourn the meeting, seconded by Mr. Heller with vote of ayes all, nays none recorded.

Respectfully Submitted:

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