

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

Mayor Smith *calls the meeting to order at 6:30 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor B. Smith, Deputy Mayor B. Fort, Mr. J. Albanese, Mrs. M.E. Duffy, 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, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the specified subject matter as set forth in the following Exhibit “A.”

EXHIBIT A

<u>Subject Matter</u>	<u>Basis Of Public Exclusion</u>	<u>Date Anticipated When Disclosed to Public</u>
Municipal Court.....	Personnel.....	Certain information at the discretion of the Township Committee tonight... other information will remain confidential
Construction Code.....	Personnel.....	“ “ “
Local No. 317 / Lieutenants.....	Contract Negotiations.....	“ “ “
Professional Services / Nassau Capital Advisors	Contract Negotiations.....	“ “ “
Memorandum of Understanding / Habitat of Humanity	Contract Negotiations.....	“ “ “
Leasing Agreement / Whitehouse Urban Renewal Associates, LLC	Contract Negotiations.....	“ “ “
Saums (Block 74, Lot 4).....	Contract Negotiations.....	“ “ “
Executive Session Minutes.....	Attorney-Client Privilege.....	“ “ “
• October 15, 2018		
Affordable Housing.....	Potential Litigation.....	“ “ “

Block 48, Lot 23; Block 55, Lot 33;
Block 56, Lots 1, 3, 6 & 8; Block 67, Lot 2
(Solberg Aviation)..... Litigation..... “ “ “
388 Route 22 Readington Realty..... Litigation..... “ “ “
Holdings, LLC v. Twp of Readington

It is anticipated at this time that the stated subject matter will be made public on or about the time set forth in Exhibit “A.”

2. This Resolution shall take effect immediately.

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

The meeting reconvened at 8:00 p.m.

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

Executive Session:

Personnel / Municipal Court

The following resolution was offered for consideration:

#R-2018-100

**TOWNSHIP OF READINGTON
RESOLUTION**

BE IT RESOLVED, in accordance in N.J.S.A. 2B:12-11E, that Julie Kosakowski be appointed Interim Court Administrator for the Township of Readington for the period of October 24, 2018 through October 24, 2019.

A **MOTION** was made by Mrs. Fort to adopt this resolution, 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 / Construction Code

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Local No. 317 / Lieutenants

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Professional Services / Nassau Capital Advisors

The following resolution was offered for consideration:

#R-2018-101

RESOLUTION TO AMEND RESOLUTION #R-2018-71 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 *amended* value of the services may not exceed \$25,000 (amending previously adopted resolution #R-2018-71); 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.

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*).

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 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 / Memorandum of Understanding / Habitat for Humanity

Mayor Smith stated that this matter has been deferred.

Contract Negotiations / Leasing Agreement / Whitehouse Urban Renewal Associates, LLC

Mayor Smith stated that this matter remains in Executive Session.

Contract Negotiations / Saums (Block 74, Lot 4)

Mayor Smith stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / October 15, 2018

A ***MOTION*** was made by Mrs. Fort to approve the Executive Session Minutes of October 15, 2018 for content only, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

Potential Litigation / Affordable Housing

Mayor Smith stated that this matter remains in Executive Session.

Litigation / Solberg Aviation / Block 48, Lot 23; Block 55, Lot 33; Block 56, Lot 1, 3, 6 & 8; Block 39, Lot 24 and Block 67, Lot 2

Mayor Smith stated that nothing was discussed.

Litigation / 388 Route 22 Readington Realty Holdings LLC vs. Twp. of Readington

Mayor Smith stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Smith read the following statement:

All items listed with an asterisk “*” are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

- * 1. **APPROVAL OF MINUTES** of meeting of October 15, 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 95, Lot 12.375 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 \$912.63, plus a premium paid in the amount of \$500.00, known as Tax Sale Certificate #2018-007, to the lienholder, Light Properties, LLC.

* 3. ***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 44, Lot 23 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 \$25,052.88, plus a premium paid in the amount of \$38,000.00, known as Tax Sale Certificate #2017-010, to the lienholder, Christiana T C/F CE1/Firsttrust.

* 4. ***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 21, Lot 4 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 \$11,587.20, known as Tax Sale Certificate #2017-004, to the lienholder, Tad J. Dabrowski.

* 5. ***N.J. State Firemen's Association Membership Application***
 ♦ Samuel P. Lee (East Whitehouse Volunteer Fire Company)

* 6. ***Blue Light Permit***
 ♦ Sam Lee

* 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	8-01	\$ 852,482.37
SEWER APPROPRIATIONS	8-02	\$ 126,634.99
TRUST FUNDS	X-03	\$ 6,673.77
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 3,236,030.41
PAYROLL DEDUCTIONS	X-06	\$ 293,410.81
REG & LOCAL SCHOOL TAX	X-07	\$ 5,624,435.78
DUE TO STATE OF NJ	X-09	\$ 975.00
2018 CAP. IMPROVEMENTS	X-18	\$ <u>450,206.79</u>
TOTAL OF ALL FUNDS		\$10,590,849.92

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
- Mr. Heller - Aye
- Mayor Smith - Aye

COMMENTS FROM THE PUBLIC for items listed on the agenda only

John Broten, Dogwood Drive, commented on Mayor Smith’s political campaign statement regarding litigation with the Solberg Airport.

Bob Schoenfeld, Oldwick Road, commented on the ordinance to purchase the affordable housing unit listed on the agenda.

CORRESPONDENCE / OTHER INFORMATION

1. Memorandum dated October 18, 2018 from Denise Dolan, Clerk of Board of Chosen Freeholders regarding **Seeking Resources from Governmental Agencies to Combat Emerald Ash Borer/Insect Infestations.**

The following resolution was offered for consideration:

#R-2018-102

**TOWNSHIP OF READINGTON
 RESOLUTION**

WHEREAS, insect infestations of tress are difficult to plan for, based on the tremendous resources that are necessary; and

WHEREAS, the immediate concern in the Township of Readington and surrounding municipalities in Hunterdon County and well beyond is the Emerald Ash Borer, which kill ash trees relentlessly, sparing almost none once present in the region; and

WHEREAS, the dead and diseased ash tress pose a serious risk to life and property as a result of the damage done by the Emerald Ash Borer; and

WHEREAS, the challenges that municipalities and residents throughout Hunterdon County face against the Emerald Ash Borer include the financial cost of removing diseased trees as well as the public safety concern of dead and dying Ash trees;

Resolution #R-2018-102 cont'd:

NOW, THEREFORE, BE IT RESOLVED, that the Township of Readington supports the County of Hunterdon to seek financial support for the actions that must be undertaken to properly steward the property and protects lives from the onset of insect infestations; and

BE IT FURTHER RESOLVED, that the Township of Readington supports the County of Hunterdon to petition the following governmental organizations to consider the devastation that will ultimately be caused by the Emerald Ash Borer and other insect infestations to our trees, and the costs associated with proactively treating and removing the impacted species, and we ask that these organizations consider the eligibility of the resources they have available to combat this cause:

- *New Jersey Department of Agriculture*
- *New Jersey Department of Environmental Protection*
- *New Jersey Department of Agriculture Protections, Division of Parks & Forestry*
- *United States Department of Agriculture, Animal & Plant Health Inspection Svcs*
- *United States Department of Agriculture, Forest Service*
- *United States Department of Agriculture, National Resource Conservation Svcs*
- *United States Department of Agriculture, National Resource Conversation Svcs NJ Office*

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be shared with Governor of State of New Jersey, 16th District Legislative Representatives, Hunterdon County municipalities, and NJ State League of Municipalities.

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

2. Letter dated October 19, 2018 from Lisa Fania, Municipal Clerk, Township of Raritan regarding **Ordinance #18-28 Amending and Supplementing Chapter 16.64 of the Revised General Ordinances of the Township of Raritan Entitled “General Design and Use Regulation” by Amending Subsection C. Entitled “Prohibited Uses” of Section 16.64.010 Entitled “Schedule of Controls”**. No action taken.

NEW BUSINESS

1. **An Ordinance Appropriating \$40,000 from Housing Trust for the Acquisition of a Deed Restriction on an Affordable Housing Unit (Block 34, Lot 36) in and by the Township of Readington, in the County of Hunterdon, New Jersey**

The following ordinance was offered for introduction:

ORDINANCE APPROPRIATING \$40,000 FROM THE HOUSING TRUST FUND FOR THE ACQUISITION OF A DEED RESTRICTION ON AN AFFORDABLE HOUSING UNIT (BLOCK 34, LOT 36-C0157) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #18-2018

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. \$40,000 is hereby appropriated from the Housing Trust Fund for the acquisition of a deed restriction on an affordable housing unit located at 157 Aster Court, Whitehouse Station, New Jersey, also know as Block 34, Lot 36-C0157 on the tax maps of the Township, including all related costs and expenditures incident thereto, in and by the Township of Readington, in the County of Hunterdon, New Jersey (the “Township”).

Ordinance #18-2018 cont'd:

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, revised capital or temporary capital budget has been filled with the Division of Local Government Services.

Section 3. In accordance with N.J.S.A. 40A:12-1 et seq. authorizing acquisitions of Property, including easements and restrictions, for public purposes, the acquisition of the aforementioned deed restriction on the affordable housing unit located at 157 Aster Court in order to retain it as an affordable unit is hereby approved. In furtherance of this objective, the Mayor, Deputy Mayor, Administrator/Clerk and Township Attorney are authorized and directed to take all reasonable, necessary and lawful steps, including execution of any and all necessary agreements and documents, including but not limited to affordable housing agreements and restrictions, mortgage and other documents, toward the acquisition of the deed restriction on the Property, in the manner and subject to the terms and conditions specified above, and are further authorized and directed to make payment to the owner of the Property in an amount equal to \$35,000 in consideration of the said deed restriction.

Section 4. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

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 November 19, 2018.

2. ***An Ordinance Amending and Supplementing the District Regulations of the Research Office and Manufacturing Zone (ROM-2) Contained in Article IV of Chapter 148 Entitled “Land Development” of the Code of the Township of Readington Land Use Volume***

Mrs. Fort stated that the Floor Area Ratio (FAR) was extended to provide the facilities more interior storage with the condition that there would be no additional outside storage.

Attorney Dragan advised that the ordinance would need to be formatted in proper ordinance form prior to publication.

The following ordinance was introduced by title:

Ordinance Amending and Supplementing the District Regulations of the Research Office and Manufacturing Zone (ROM-2) Contained in Article IV of Chapter 148 Entitled “Land Development” of the Code of the Township of Readington Land Use Volume

Ordinance # 19-2018

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

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

The Public Hearing was scheduled for December 3, 2018, if ordinance was published in a timely manner.

3. ***Application for Special Events Permit / Bishop and Bishop Lands, LLC / Open Air Market***

- ◆ Every Sunday April → October (2019)

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

4. ***Resolution to Award Contract to Purchase Rock Salt for 2018-19 Season***

The following resolution was offered for consideration:

#R-2018-103

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, pursuant to *N.J.S.A. 40A:11-10 et seq.*, Readington Township authorized a joint agreement with the County of Hunterdon on May 21, 2018; and

WHEREAS, the Hunterdon County Board of Chosen Freeholders, in accordance with this agreement, has awarded the bid for rock salt to Morton Salt at a price of \$50.59 per ton, not to exceed \$145,000; and

WHEREAS, pursuant to *N.J.S.A. 5:34-5* the Governing Body is required to award this contract.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington does hereby award the contract for the purchase of rock salt for the 2018/2019 season (September 19, 2018 to September 19, 2019) to Morton Salt at a price of \$50.59 per ton.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the County of Hunterdon Purchasing Department.

A MOTION was made by Mrs. Fort to adopt this resolution, 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

- * 5. ***N.J. State Firemen’s Association Membership Application***
 - ◆ Samuel P. Lee (East Whitehouse Volunteer Fire Company)

This matter was addressed under the Consent Agenda.

- * 6. ***Blue Light Permit***
 - ◆ Sam Lee

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz stated that she had nothing further to report.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

COMMITTEE REPORTS

JOHN ALBANESE

Mr. Albanese 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 that the Bouman Stickney Musuem is currently undergoing a renovation.

Mrs. Fort also reported that the barn dance at the Bouman Stickney was well attended.

JONATHAN HELLER

Mr. Heller reported that they are working on a mowing and trail maintenance plan and they are currently deciding how to budget this plan.

BEN SMITH

Mayor Smith reported that he attended the East Whitehouse Fire Company 95th Anniversary celebration.

COMMENTS FROM THE PUBLIC

Scott Scammell, Dreahook Road, commented on a line item for affordable housing on the bill list.

Todd Terricone, Lamington Road, questioned the time frame regarding removal of political signs.

John Broten, Dogwood Drive, asked about the status of the easement at Silver Bit and Spur. Mr. Broten followed up on a previous question regarding funding of the Eggeman property and also wanted to know about the status of the erosion problem at Brookview Road.

COMMENTS FROM THE GOVERNING BODY

Mayor Smith reminded everyone to get out and vote tomorrow.

As there was no further business, *A MOTION* was made by Mrs. Duffy at 8:35 p.m. to adjourn the meeting, seconded by Mrs. Fort with vote of ayes all, nays none recorded.

Respectfully Submitted:

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