

**READINGTON TOWNSHIP COMMITTEE
MEETING – May 20, 2024**

Mayor Mueller *calls the meeting to order at 6:00 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 A. Mueller, Deputy Mayor V. Panico, Mr. J. Albanese, Mr. J. Heller, and Mr. J. Huelsebusch

ALSO PRESENT: Administrator R. Sheola, Municipal Clerk K. Parker, Attorney C. Corsini

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>
Finance	Personnel	Certain information at the discretion of Twp tonight shall remain confidential
Police Department	Personnel	“ “ “
Recreation (summer camp counselors).....	Personnel	“ “ “
Police Department	Personnel	“ “ “
Volunteer Handbook Policy	Personnel	“ “ “
Verano, LLC (Cannabis Renewal).....	Contract Negotiations	“ “ “
Redevelopment Agreement (Apartments ... At Three Bridges Holdings LLC)	Contract Negotiations	“ “ “
NJDOT Consent / Conifer B 81, Lot 1.....	Contract Negotiations	“ “ “
Deed of Conservation Easement	Contract Negotiations	“ “ “
(Redco Read LP)		
Block 21, Lot 4 (Solis).....	Contract Negotiations	“ “ “
Community Business Network.....	Contract Negotiations	“ “ “

Lease Agreement (Darts Mill)	Contract Negotiations	“	“	“
Executive Session Minutes..... • May 6, 2024	Attorney-Client Privilege.....	“	“	“
Affordable Housing.....	Potential Litigation.....	“	“	“

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

2. This Resolution shall take effect immediately.

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

The meeting reconvened at 7:30 p.m.

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

Executive Session:

A **MOTION** was made by Mr. Panico to amend the executive session agenda to add Contract Negotiations / Green Acres Diversion, seconded by Mr. Huelsebusch with a vote of ayes all, nays none recorded.

Personnel / Finance

The following resolution was offered for consideration:

#R-2023-82

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Donna Mollineaux has submitted her resignation as Chief Financial Officer effective May 17, 2024; and

WHEREAS, the Township Committee has not determined a course of action with respect to a replacement; and

WHEREAS, Township Administrator Richard Sheola is a Certified Municipal Finance Officer; and

NOW THEREFORE BE IT RESOLVED the Township Committee appoints Richard Sheola, CMFO as Interim Chief Financial Officer for Readington Township with compensation of \$2,000.00 per month for each month or part thereof effective May 20, 2024 until such time as a new Chief Financial Officer is appointed.

A **MOTION** was made by Mr. Panico to adopt this resolution, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

- Mr. Albanese -Aye
- Mr. Heller - Aye
- Mr. Huelsebusch - Aye
- Mr. Panico - Aye
- Mayor Mueller - Aye

Personnel / Recreation (Summer Camp Counselors)

A ***MOTION*** was made by Mr. Panico to approve the salary adjustment for the summer camp counselors, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Huelsebusch - Aye
Mr. Panico - Aye
Mayor Mueller - Aye

A ***MOTION*** was made by Mr. Panico to adopt the list of newly appointed summer camp counselors, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese -Aye (recused from vote of Alex Albanese)
Mr. Heller - Aye
Mr. Huelsebusch - Aye
Mr. Panico - Aye
Mayor Mueller - Aye

Personnel / Police Department

The following resolution was offered for consideration:

#R-2024-84

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, John Harris was appointed a Class II Special Police Officer on August 23rd, 2019 with the Readington Township Police Department; and

WHEREAS, Officer Harris made application with the New Jersey Police Training Commission to waive his status from a Class II officer to a Class III officer; and

WHEREAS, the New Jersey Police Training Commission approved his request on May 2nd, 2024;

NOW THEREFORE BE IT RESOLVED the Township Committee amends Officer Harris' appointment to Class III Special Police Officer with Readington Township Police Department effective May 20th, 2024.

A ***MOTION*** was made by Mr. Panico to adopt this resolution, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Huelsebusch - Aye
Mr. Panico - Aye
Mayor Mueller - Aye

The following resolution was offered for consideration:

#R-2024-85

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Steven Rindock was appointed to the rank of Lieutenant (Probationary) on August 7, 2023 by way of Resolution #2023-138.

WHEREAS, Lieutenant Rindock has successfully completed his six (6) month probationary period in accordance with the existing Collective Bargaining Agreement between the Township of Readington and P.B.A. Local 317.

NOW THEREFORE BE IT RESOLVED the Township Committee appoints Lieutenant Rindock as permanent Lieutenant for Readington Township effective May 10th, 2024, at a salary set by contract.

A MOTION was made by Mr. Panico to adopt this resolution, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

The following resolution was offered for consideration:

#R-2024-86

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Yessenia Caswell was appointed Probationary Police Officer on July 18th, 2022.

WHEREAS, Police Officer Yessenia Caswell has successfully completed her six (6) month probationary period in accordance with the existing Collective Bargaining Agreement between the Township of Readington and P.B.A. Local 317.

NOW THEREFORE BE IT RESOLVED the Township Committee appoints Police Officer Yessenia Caswell as permanent Police Officer for Readington Township effective May 12th, 2024, at a salary set by contract.

A MOTION was made by Mr. Panico to adopt this resolution, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

Personnel / Construction Code

The following resolution was offered for consideration:

#R-2024-87

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Ashley Biondi was hired as Technical Assistant in the Construction Code Office on February 20, 2024; and

WHEREAS, has tendered her resignation on May 14, 2024; and

WHEREAS, the Township Committee the Township Committee hereby accepts Ashley Biondi's resignation.

A **MOTION** was made by Mr. Panico to adopt this resolution, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

Personnel / Volunteer Handbook Policy

Mayor Mueller stated that this matter remains in Executive Session.

Contract Negotiations / Verano, LLC (Cannabis License Renewal)

A **MOTION** was made by Mr. Panico to amend the agenda to move this item to New Business, seconded by Mr. Huelsebusch with a vote of ayes all, nays none recorded.

Contract Negotiations / Redevelopment Agreement (Apartments at Three Bridges Holdings, LLC)

A **MOTION** was made by Mr. Panico to amend the agenda to move this item to New Business, seconded by Mr. Huelsebusch with a vote of ayes all, nays none recorded.

Contract Negotiations / NJDOT Consent / Conifer (Block 81, Lot1)

A **MOTION** was made by Mr. Panico to amend the agenda to move this item to New Business, seconded by Mr. Huelsebusch with a vote of ayes all, nays none recorded.

Contract Negotiations / Deed of Conservation Easement (Redco Read LP)

A **MOTION** was made by Mr. Panico to table this item, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

Contract Negotiations / Block 21, Lot 4 (Solis)

Mayor Mueller stated that this matter remains in Executive Session.

Contract Negotiations / Community Business Network

A ***MOTION*** was made by Mr. Panico to approve the form of agreement for the Community Business Network, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Nay
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

Contract Negotiations / Darts Mill Lease

Mr. Heller expressed concerns about safety at the site.

A ***MOTION*** was made by Mr. Panico to approve the lease with Raritan Headwaters Association provided that the railing be fixed, and an investigative study be done with the Historic Preservation Commission to determine what work needs to be done on the property. seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Nay
Mr. Heller	- Nay
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

Attorney-Client Privilege / Executive Session Minutes / May 6, 2024

A ***MOTION*** was made by Mr. Panico to approve the Executive Session Minutes of May 6, 2024 for content only, seconded by Mr. Huelsebusch with a vote of ayes all, nays none recorded.

Potential Litigation / Affordable Housing

Mayor Mueller stated that this matter remains in Executive Session.

Contract Negotiations / Green Acres Diversion

Mayor Mueller stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Mueller 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.*

Deputy Mayor Panico requested to remove Item # 2 and the payment of bills from the Consent Agenda

1. * **APPROVAL OF MINUTES** of meetings of May 6, 2024
2. * **Application for Blue Light Permit (Adolfo Kohara)**
3. * **Request for Return of Planning Board Application Fee (Ryland Inn)**

4. * *Release of Hunting Security Deposit / Pioneer Bow & Gun Club (Block 55, Lot 13.51)*

A **MOTION** was made by Mr. Albanese to approve the Consent Agenda (with the removal of item 2 and the payment of bills), seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

- Mr. Albanese -Aye
- Mr. Heller - Aye
- Mr. Huelsebusch - Aye
- Mr. Panico - Aye
- Mayor Mueller - Aye

Payment of Bills – (Complete bill list is on file in Clerk’s Office)

Deputy Mayor Panico and Mayor Mueller stated that they would be abstaining from the approval of a payment on the bill list.

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
GENERAL	3-01	\$ 2,107.98
GENERAL	4-01	\$ 4,466,225.78
SEWER UTILITY OP FUND	4-02	\$ 1,748.52
GENERAL	G-01	\$ 2,733.43
OTHER TRUST	X-03	\$ 39,253.03
PAYROLL DEDUCTIONS	X-06	\$ 253,145.71
2023 CAP IMPROVEMENTS	X-23	<u>\$ 711.50</u>
TOTAL OF ALL FUNDS		\$ 4,765,925.95

A **MOTION** was made by Mr. Panico to approve the bill list, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

- Mr. Albanese -Aye
- Mr. Heller - Aye
- Mr. Huelsebusch - Aye
- Mr. Panico - Aye (abstain from PO#24000939)
- Mayor Mueller - Aye (abstain from PO#24000939)

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were no comments from the public.

PUBLIC HEARING

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

Clerk read by Title:

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

ORDINANCE #14-2024

Mayor Mueller asked if there were any comments from the governing body

There were no comments.

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

There were no comments.

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

Clerk read by Title:

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

ORDINANCE #14-2024

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

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

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

Clerk read by Title:

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF PROPERTIES KNOWN AS BLOCK
21.12, LOTS 25.01 AND 25.02 IN THE TOWNSHIP OF READINGTON, COUNTY OF
HUNTERDON AND STATE OF NEW JERSEY TO RARITAN VALLEY HABITAT FOR
HUMANITY, INC., A NON-PROFIT CORPORATION OF THE STATE OF NJ FOR
AFFORDABLE HOUSING PURPOSES; AUTHORIZING AFFORDABLE HOUSING DEED
RESTRICTIONS ON BOTH PROPERTIES, AND PROVIDING FOR FUNDING OF A \$50,000
FINANCIAL CONTRIBUTION IN ACCORDANCE WITH THE TOWNSHIP'S AMENDED AND
APPROVED AFFORDABLE HOUSING PLAN AND COURT-APPROVED SETTLEMENT
AGREEMENT WITH FAIR SHARE HOUSING CENTER DATED JULY 19, 2019**

Ordinance #15-2024

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

There were none.

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

There were none.

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

Clerk read by Title:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF PROPERTIES KNOWN AS BLOCK 21.12, LOTS 25.01 AND 25.02 IN THE TOWNSHIP OF READINGTON , COUNTY OF HUNTERDON AND STATE OF NEW JERSEY TO RARITAN VALLEY HABITAT FOR HUMANITY, INC., A NON-PROFIT CORPORATION OF THE STATE OF NJ FOR AFFORDABLE HOUSING PURPOSES; AUTHORIZING AFFORDABLE HOUSING DEED RESTRICTIONS ON BOTH PROPERTIES, AND PROVIDING FOR FUNDING OF A \$50,000 FINANCIAL CONTRIBUTION IN ACCORDANCE WITH THE TOWNSHIP'S AMENDED AND APPROVED AFFORDABLE HOUSING PLAN AND COURT-APPROVED SETTLEMENT AGREEMENT WITH FAIR SHARE HOUSING CENTER DATED JULY 19, 2019

Ordinance #15-2024

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

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Abstain
Mayor Mueller	- Abstain

CORRESPONDENCE / OTHER INFORMATION

1. Letter dated May 7, 2024 from Katelyn Vettel, Deputy Clerk, Township of Bedminster regarding ***An Ordinance Amending Chapter XIII Entitled "Land Use Management" of the Township of Bedminster General Ordinances***. No action taken.
2. Letter dated May 8, 2024 from Donna Kukla, Raritan Township Clerk, regarding ***An Ordinance of the Township of Raritan Amending and Updating Various Provisions of Chapter 296 entitled "Land Development" of the Code of the Township of Raritan***. No action taken.

NEW BUSINESS

1. ***Township Participation in the State Development and Redevelopment Plan for Cross Acceptance***

The following resolution was offered for consideration:

#R-2024-88

RESOLUTION AUTHORIZING PARTICIPATION OF TOWNSHIP IN READINGTON THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN (State Plan) CROSS-ACCEPTANCE PROCESS

WHEREAS, the State Planning Act of 1985 (N.J.S.A. 52:18A-196 et. seq.) created a State Planning Commission and an Office of Planning Advocacy for the purpose of establishing a cooperative planning process that involves the full participation of state, county, and local governments; and,

WHEREAS, the State Planning Act states that New Jersey needs integrated and coordinated planning in order to conserve its natural resources, to revitalize its urban centers, to provide affordable housing and adequate public facilities at a reasonable cost, to promote equal social and economic opportunity for New Jersey's citizens, and to prevent sprawl and promote the suitable use of land; and

WHEREAS, the primary duty and responsibility of the State Planning Commission under the State Planning Act is the preparation of a "State Development and Redevelopment Plan;" and,

Resolution #R-2024-88 cont'd:

WHEREAS, the State Planning Act also provides that the State’s municipalities are to have an essential role in the development of the State Plan through their participation in the Cross- acceptance process to be conducted under the Act; and,

WHEREAS, the Cross-acceptance process is the primary vehicle under the Act for promoting vertical coordination and integration of state, county, and local plans by affording county and municipal governments a full and open opportunity to be involved in reconciling inconsistencies between state and local policies; and,

WHEREAS, the Board of County Commissioners of Hunterdon County has concluded that it is appropriate, necessary and in the County’s interest to fully participate in the development of the State Plan through the full and active participation of the County government, including in particular its Planning Board and its Department of Planning, in the Cross-acceptance process,

WHEREAS, the Township Committee of the Township of Readington has concluded that it is appropriate, necessary and in the municipality interest to fully participate in the development of the State Plan through the full and active participation of the Municipal government, including in particular its Planning Board and its Department of Planning, in the Cross-acceptance process,

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

That the Readington Township Planning Board is hereby authorized and directed to carry out the Cross-acceptance process pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et. seq. and the State Planning Rules, N.J.A.C. 15:30 and any other rules promulgated by the State Planning Commission for this purpose:

That the Readington Township Planning Board shall coordinate with the County or Negotiating Entity in their preparation of a proposed work program and schedule for municipal and county Cross-acceptance and Negotiating Entity shall submit said work program and schedule to the New Jersey Office of Planning Advocacy;

That the Readington Township Department of Planning shall provide staff assistance to the County Planning Board or Negotiating Entity in order to prepare a Cross-acceptance Response Template and successfully complete the Cross-acceptance process;

That all other Municipal Departments and Agencies shall cooperate with the Municipal and County Planning Board or Negotiating Entity and provide information and furnish such documents as may be required.

A **MOTION** was made by Mr. Panico to adopt this resolution, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

2. *An Ordinance to Amend Chapter 112 - Emergency Services*

The following ordinance was offered for introduction:

***AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 112 ENTITLED
“EMERGENCY SERVICES” OF THE CODE OF THE TOWNSHIP OF READINGTON
AUTHORIZING THE ADDITION OF THE OFFICE OF EMERGENCY MANAGEMENT AND
THE COMMUNITY EMERGENCY RESPONSE TEAM (CERT) TO THE LIST OF RECOGNIZED
AGENCIES***

ORDINANCE #16-2024

WHEREAS, the Township Code lists the various fees throughout the entire Municipal Code; and

WHEREAS, a review of the various fees charged has resulted in a number of proposed changes;
and

WHEREAS, it is in the best interest of the Township and its residents and customers to have all fees located in one section of the Code; and

WHEREAS, the following sections of the Code are hereby deleted:

SECTION 1.

Chapter 112 Emergency Services
§ 112-1 Definitions.

As used in this article, the following terms shall have the meanings indicated:

AGENCY or AGENCIES

Any of the companies or squads comprising the Readington Township Emergency Services Agency as defined below.

[Added 12-17-2012 by Ord. No. 31-2012]

APPLICANT An individual, of 18 years or older, desiring initial membership in an emergency services agency in Readington Township.

[Amended 10-15-2012 by Ord. No. 23-2012]

MEMBER A current member of the Readington Township emergency services agency.

[Added 12-17-2012 by Ord. No. 31-2012]

READINGTON TOWNSHIP EMERGENCY SERVICES AGENCY

A. Any of the fire companies which comprise the Readington Township Fire Department as set forth in Chapter 21 of the Readington Township Code; or

B. The Whitehouse Volunteer Rescue Squad or any other rescue squad established in the Township of Readington, **or,**

C. The Office of Emergency Management and its appointed members.

D. Community Emergency Response Team (CERT) and its appointed members.

Ordinance #16-2024 cont'd:

SECTION 2. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 3. The sections, subsections, and provisions of this Ordinance may be renumbered as necessary or practical for codification purposes.

SECTION 4. Any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 5. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

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

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

The Public Hearing was scheduled for June 3, 2024.

- 3. Ordinance Reappropriating \$16,161.67 from Ordinance #07-2021 Proceeds of Obligations Not Needed for their Original Purpose in Order to Provide for the Purchase of an Alcotest Machine for the Police Department in and by the Township of Readington, in the County of Hunterdon, New Jersey***

The following ordinance was offered for introduction

ORDINANCE REAPPROPRIATING \$16,161.67 FROM ORDINANCE 07-2021 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR THE PURCHASE OF AN ALCOTEST MACHINE FOR THE POLICE DEPARTMENT IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

Ordinance #17-2024

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

SECTION 1. Pursuant to NJSA 40A:2-39, It is hereby determined that \$16,161.67 of the proceeds of obligations originally made available pursuant to Ordinance #07-2021 of the Township of Readington, in the County of Hunterdon, New Jersey (the "Township"), finally adopted May 3, 2021, is no longer needed for the stated purposes.

SECTION 2. The \$16,161.67 described in Section 1 and made available pursuant to N.J.S.A. 40A:2-39 is hereby reappropriated to provide for the purchase of an alcotest machine for the Police Department.

Ordinance #17-2024 cont'd:

SECTION 3. 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, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

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

SECTION 5. If any section, paragraph, subsection, clause, or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause, or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

SECTION 6. The sections, subsections, and provisions of this Ordinance may be renumbered as necessary or practical for codification purposes.

SECTION 7. Any ordinance or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

SECTION 8. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

A MOTION was made by Mr. Panico to introduce this ordinance with the correction noted, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

The Public Hearing was scheduled for June 3, 2024.

4. ***Sustainable Jersey Participation Review Committee Report***

Robert Becker, Chair of Environmental Commission, was present to speak to the Sustainable New Jersey Program and introduced the members of the Sustainable New Jersey Participation Review Committee Bob Spielberger, Stephanie Panico and Jodi Bettermann. Mr. Becker discussed the recommendation to establish Sustainable Action Team (SAT) as an Environmental subcommittee.

5. **** Application for Blue Light Permit (Adolfo Kohara)***

This matter was addressed under the Consent Agenda.

6. ***Resolution Calling for the Modernization of the Open Public Records Act (OPRA) and the Swift Passage of S-2930/A-4045***

The following resolution was offered for consideration:

TOWNSHIP OF READINGTON RESOLUTION CALLING FOR THE MODERNAZATION OF THE OPEN PUBLIC RECORDS ACT (OPRA) AND THE SWIFT PASSAGE OF S-2930/A-4045

WHEREAS, in the 2002 “lame duck” session the Open Public Records Act (OPRA) was approved to make government records, “readily accessible for inspection, copying, or examination by the citizens of this State, with certain exceptions, for the protection of the public interest” while protecting “a citizen’s right to a reasonable expectation of privacy”; and

WHEREAS, as local leaders we reaffirm our support and commitment to open and transparent government and public access to records, at the same time, we strongly support necessary reforms; and ***WHEREAS***, in the twenty years since the enactment of OPRA and with the advent of new technologies, we have witnessed unintended consequences and, in some cases, abuses of OPRA that place an unfair burden on local governments and taxpayers; and

WHEREAS, municipal staff and budgets are increasingly utilized to accommodate the requestors and commercial entities who inundate municipalities with public records requests to the extent that in some instances, additional personnel are hired primarily to handle such requests; and

WHEREAS, OPRA has become broadly construed in favor of access and the requestor who prevails in any proceeding in appealing a denial of access of records is permitted to collect exorbitant attorney’s fees, which impacts the taxpayers and municipalities who must pay these fees; and

WHEREAS, municipalities have seen outside businesses and interests who abuse OPRA for marketing and commercial gains while utilizing municipal employees paid by the taxpayers for this benefit; and

WHEREAS, due to court decisions over the years, reasonable expectations of privacy have been diminished when it comes to the balance of transparency and OPRA perpetuates forprofit data-mining, unsolicited marketing, and uncontrolled publications of records on internet search engines specifically designed to circumvent and bypass what few protective measures currently exist under OPRA, all while allowing the requestor to remain cloaked in anonymity, should they choose to exercise that option; and

WHEREAS, when commercial entities are constantly emailing OPRA requests looking for the latest lists of dogs licensed that month, inground pool permits issued, solar roof permits issued, etc., it causes our residents to not want to license their dogs, comply with permits, or interact with the municipality because they don’t want to lose their privacy and/or have their information tracked and monetized for commercial purposes; and

WHEREAS, reforms to modernize OPRA are long overdue, among them: the need to address requests by commercial entities that utilize public records and the services of local government employees to generate profits, mandatory prevailing attorney fees, which created a cottage industry, and to add language so that such fees are based on facts and circumstances and not an automatic granting; and

WHEREAS, Senators Sarlo and Bucco and Assemblyman Danielsen and Assemblywoman Flynn have introduced S-2930/A-4045, which makes commonsense reforms that do not hinder residents or journalists from using OPRA to access public records, but will protect citizens’ personal information from disclosure, addresses the burdensome commercial requests and provide discretion when awarding prevailing attorney fees;

NOW, THEREFORE, BE IT RESOLVED, the governing body of the Township of Readington in the County of Hunterdon respectfully request the adoption of much-needed reforms to modernize and strengthen the legislative intent of the Open Public Records Act (OPRA) and urges the swift passage of S-2930/A-4045; and

BE IT FURTHER RESOLVED, as local leaders, we reaffirm our support and commitment to open and transparent government and public access to records but at the same time, we strongly support necessary reforms; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senate President Scutari, Assembly Speaker Coughlin, Senator Zwicker, Assembly Representatives Freiman and Drulis, Governor Murphy, and the New Jersey League of Municipalities.

A **MOTION** was made by Mr. Panico to adopt this resolution, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Nay
Mr. Heller	- Nay
Mr. Huelsebusch	- Nay
Mr. Panico	- Nay
Mayor Mueller	- Nay

7. * **Request for Return of Planning Board Application Fee (Ryland Inn)**

This matter was addressed under the Consent Agenda.

8. * **Release of Hunting Security Deposit / Pioneer Bow & Gun Club (Block 55, Lot 13.51)**

This matter was addressed under the Consent Agenda.

9. **Verano, LLC (Cannabis License Renewal)**

The following resolution was offered for consideration:

#R-2024-89

**TOWNSHIP OF READINGTON
COUNTY OF HUNTERDON**

WHEREAS, pursuant to Ordinance #02-2022 adopted on February 7, 2022 (Readington Township Code Section 88-1 et seq.), the Township of Readington ("Township") published notice on April 28, 2022 inviting applications for one (1) municipal business license for a cannabis establishment (adult use) to be located within the Licensed Cannabis Business Overlay ("LCBO") Zone District in the Township; and

WHEREAS, the Township received an application on July 20, 2022 from Verano, NJ, LLC ("Applicant") for municipal business licenses to operate as both a Class 1 cannabis cultivator and Class 2 cannabis manufacturer on property it leases from Branchburg Route 22, LLC ("Owner"), which property is known as Block 14, Lot 49 on the official tax map of the Township and is commonly known as of 3576 Hwy. 22, Whitehouse Station, N.J (the "Property"); and

WHEREAS, the Applicant submitted additional documentation to the Township in support of its application on October 26, 2022 and on January 20, 2023, respectively, after having been notified on August 25, 2022 and December 26, 2022, respectively, that the Township's Cannabis Business Application Review Committee (the subcommittee which was charged with reviewing the application for recommendation to the Township Committee), had found it to be incomplete as to several items; and

Resolution #R-2024-89 cont'd:

WHEREAS, the Township’s Cannabis Business Application Review Committee reviewed the January 20, 2023 submission, and on March 24, 2023 provided the Township with its recommendation of approval with conditions, which conditions the Township Committee agrees should be imposed; and

WHEREAS, the Applicant has been operating at the Property as a pre-existing state licensed Alternate Treatment Center pursuant to the "Jake Honig Compassionate Use Medical Cannabis Act, “P.L. 2009, c. 307 (N.J.S.A. 24:61-1 et seq.), and has approval from the State of New Jersey to operate as an “expanded” ATC, meaning that it may cultivate and process/manufacture both medical and personal use cannabis at the Property, as a result of Class I (cultivator) and Class 2 (manufacturer) licenses #C000009 and #M000007, respectively, granted by the State of New Jersey Cannabis Regulatory Commission Office of Compliance and Licensing, on or about April 17, 2022; and

WHEREAS, the Applicant has requested the Township to supply a letter to the CRC in support of its application to renew its state expanded Alternative Treatment Center (“ATC”) licenses #C000009 (Class I Cultivator) and #M000007 (Class 2 Manufacturer) which are due to expire on April 17, 2023; and

WHEREAS, in addition to the above, during the course of the application process, the Applicant has made certain tax payments to the Township pursuant to Township Code Sections 88-12, et seq. pertaining to the imposition of cannabis transfer and user taxes on adult use cannabis, as authorized by the State of New Jersey; and

WHEREAS, the Township Committee does not believe that it has thus far received sufficient information supporting the amount paid toward the transfer/user taxes, in terms of accounting and/or characterization, and the Applicant does not agree with the amounts paid. Accordingly, both the Applicant and Township have agreed that the Township may have a forensic audit conducted, to be paid for by the Applicant, in order to review the information provided by the Applicant in conjunction with the transfer/user taxes. The choice of the auditing firm shall be the Township’s; and

WHEREAS, the Township Committee agrees that the Applicant’s application can be approved with conditions in order to facilitate the processing of the Applicant’s state license renewals.

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. The preambles above are incorporated herewith as if fully repeated herein.
2. The Township Committee approves the application of the Applicant, Verano NJ, LLC for municipal Class 1 “Cannabis Cultivator” and Class 2 “Cannabis Manufacturer” licenses in the Township of Readington to be used at the property known as Block 14, Lot 49 on the official tax map of the Township, commonly known as 3576 Hwy. 22, Whitehouse Station, NJ 08889,
3. This license approval shall run from May 22, 2024 and shall expire on May 22, 2025. All future annual municipal license renewal applications shall be submitted at least 90 days’ prior to the expiration date of the municipal licenses issue.

A MOTION was made by Mr. Panico to adopt this resolution, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

10. **Redevelopment Agreement (Apartments at Three Bridges Holdings, LLC)**

Attorney Amanda Curley from Day Pitney was present on behalf of the applicant to address questions from the Committee and spoke to the necessity of approving the Payment in Lieu of Taxes (PILOT) agreement.

A MOTION was made by Mr. Panico to approve the Redevelopment Agreement for Apartments at Three Bridges Holdings LLC, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Huelsebusch - Aye
Mr. Panico - Aye
Mayor Mueller - Aye

11. **NJDOT Consent / Conifer (Block 81, Lot1)**

A MOTION was made by Mr. Panico to grant the power of attorney for the NJ DOT driveway access permit seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Huelsebusch - Aye
Mr. Panico - Aye
Mayor Mueller - Aye

ADMINISTRATOR'S REPORT

Administrator Sheola requested the Committee to consider the following resolution:

#R-2024-90

RESOLUTION

TOWNSHIP OF READINGTON

WHEREAS, the Whitehouse Rescue Squad deploys a 2001 Ford Excursion for Command Post and other Emergencies; and

WHEREAS, the vehicle is no longer fit for duty and the Whitehouse Rescue Squad has requested the title of said vehicle be turned over to that organization has historically the case when vehicles go out of service; and

NOW THEREFOR BE IT THEREFORE RESOLVED, the Township Committee of the Township of Readington does hereby relinquish the Certificate of Title of a 2001 Ford Excursion, V.I.N. 1FMSU21P61BB18626 to the Whitehouse Rescue Squad for the sum of \$1.00 (One Dollar).

A MOTION was made by Mr. Panico to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Huelsebusch - Aye
Mr. Panico - Aye
Mayor Mueller - Aye

Administrator Sheola also reported that PSE&G sent letters to Township residents advising them of gas meter replacements.

ATTORNEY'S REPORT

Attorney Corsini stated that he had nothing further to report.

COMMITTEE REPORTS

JOHN ALBANESE

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

JONATHAN HELLER

Mr. Heller inquired about the timeline for the fuel spill cleanup.

JUERGEN HUELSEBUSCH

Mr. Huelsebusch reported that the Township is closing on the Telleri property this week and the Open Space hike for June will be at Cushetunk Mountain.

VINCENT PANICO

Mr. Panico reported that the recreation brochure is out, the Memorial Day Parade is next week and the Summer Spectacular will be held on June 18th. Mr. Panico also reported that the County and the Director of Public Safety met to review bicycle and pedestrian safety along County Road 523.

ADAM MUELLER

Mayor Mueller requested consideration of the following resolution:

#R-2024-91

RESOLUTION

TOWNSHIP OF READINGTON

WHEREAS, the Township of Readington Police Department (“Department”) facilities are inadequate for a modern, growing public safety agency; and

WHEREAS, the current facilities of the Department lack sufficient space, privacy, technological advances necessary to further protect life and property in the Township; and

WHEREAS, the Township of Readington (“Township”) has applied for a FY 2025 Community Project Funding request through the offices of Representative Thomas Kean, Jr. in the amount of \$3.0 million to offset the estimated cost of a \$5.5 million proposed expansion and modernization to the Department facilities; and

WHEREAS, the funding, when approved, will provide for expanded office space, community facing areas, and expand the operation capacity of the Department for many years; and

NOW THEREFOR BE IT THEREFORE RESOLVED, the Township Committee of the Township of Readington does hereby enthusiastically support the application to the FY 2025 Community Project Funding Program for the Readington Police Department Expansion and Modernization.

A **MOTION** was made by Mr. Panico to adopt this resolution, seconded by Mr. Huelsebusch and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Huelsebusch	- Aye
Mr. Panico	- Aye
Mayor Mueller	- Aye

Mayor Mueller announced that they are looking for more veterans to participate in the Memorial Day Parade.

COMMENTS FROM THE PUBLIC

Christina Albrecht inquired about the Chief Financial Officer position and other open positions in the Township.

COMMENTS FROM THE GOVERNING BODY

Mr. Heller inquired about the emergency fund for Taylor’s Mill and the roof at Cold Brook School. Mr. Heller also asked if there a funding in the proposed municipal budget for a volunteer dinner and the Raritan Valley Community College contract for Stewardship,

Pat Fisher Olsen, Chair of the Historic Preservation Commission, was present and provided an update on the status of the insurance for Taylor’s Mill and the need for a new roof at Cold Brook School.

As there was no further business, A **MOTION** was made by Mr. Panico at 8:55 p.m. to adjourn the meeting, seconded by Mr. Huelsebusch with a vote of ayes all, nays none recorded.

Submitted by:

Karin M Parker, *RMC*
Municipal Clerk