

**READINGTON TOWNSHIP COMMITTEE  
MEETING – February 6, 2012**

Mayor Auriemma *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 T. Auriemma, Deputy Mayor J. Allen, Mrs. B. Fort, Mr. F. Gatti, Mrs. B. Muir

**ALSO PRESENT:** Administrator Mekovetz, Attorney S. Dragan, Engineer R. O'Brien

**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**

<b><u>Subject Matter</u></b>	<b><u>Basis Of Public Exclusion</u></b>	<b><u>Date Anticipated When Disclosed to Public</u></b>
Finance.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will be confidential
Building and Grounds.....	Personnel.....	“ “ “
Shared Services..... West Amwell Township	Personnel.....	“ “ “
Local Union No. 469..... White Collar	Contract Negotiations.....	“ “ “
Block 39, Lot 49, Block 40, Lot 2... Peters	Contract Negotiations.....	“ “ “
Developers Agreement..... Hartman / Block 36, Lot 48	Contract Negotiations.....	“ “ “
404 Dove Cote Court..... Goyo-Shields	Contract Negotiations.....	“ “ “
Professional Services..... Wolff & Samson PC (Special Counsel)	Contract Negotiations.....	“ “ “

Executive Session Minutes..... Attorney-Client Privilege..... “ “ “  
• January 17, 2012

Block 48, Lot 23; Block 55, Lot 33;  
Block 56, Lots 1, 3, 6 & 8; Block 39,  
Lot 24 & Block 67, Lot 2  
(Solberg Aviation)..... 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 Mrs. Muir to adopt this resolution, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:30 p.m.

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

***Executive Session:***

***Personnel / Finance***

A **MOTION** was made by Mrs. Muir to hire Claudia Linarducci as the Accounts Payable Clerk at a rate of \$20/hour, not to exceed 25 hours per week, effective February 6, 2012, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

Mrs. Allen - Aye  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mayor Auriemma - Aye

***Personnel / Building and Grounds***

A **MOTION** was made by Mrs. Allen to hire Chris Beam at a rate of \$11/hour and Thomas Sekella at a rate of \$10/hour as summer help for Parks, Building and Grounds, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mrs. Allen - Aye  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mayor Auriemma - Aye

***Personnel / Shared Services / West Amwell Township***

Mayor Auriemma stated the Township would have to decline this offer since the current coordinator is in charge of both the Department of Public Works and Building and Grounds therefore does not have the time for another position.

***Contract Negotiations / Local Union No. 469 / White Collar***

Mayor Auriemma stated that this matter remains in Executive Session.

***Contract Negotiations / Block 39, Lot 49, Block 40 Lot 2 / Peters***

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

Mrs. Allen - Aye  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mayor Auriemma - Aye

The following ordinance was offered for introduction:

***AN ORDINANCE AUTHORIZING THE ACCEPTANCE OF AN ACCESS EASEMENT ON PROPERTY KNOWN AS A PORTION OF BLOCK 39, LOT 49 AND BLOCK 40, LOT 2 IN THE TOWNSHIP OF READINGTON FOR FARMLAND PRESERVATION PURPOSES***

***ORDINANCE #04-2012***

***WHEREAS***, the County of Hunterdon (“County”) is about to acquire an agricultural development rights easement upon property known as Block 39, Lot 49 and Block 40, Lot 2, in the Township of Readington, which property is owned by Theodore and Grace Peters (hereinafter “Owner”) and consists of approximately 61+/- acres (hereinafter “Property”), with the intention of permanently preserving it for farmland purposes through the Hunterdon County Agricultural Development direct purchase, Hunterdon County Open Space Trust Fund/Municipal Grant Program and Federal Farm and Ranchland Protection Programs; and

***WHEREAS***, the Township of Readington (“Township”) has applied for and received a municipal grant in the approximate amount of \$128,688.00 (exact amount to be based on final acreage) from the Hunterdon County Open Space Trust Fund/Municipal Grant Program which will be used to fund its proportionate cost share due in connection with the County’s acquisition; and

***WHEREAS***, as part of the acquisition, the Township has determined that it is necessary to acquire an Access Easement upon the Property from the Owner to ensure that the County’s annual mowing and maintenance requirements are complied with for the overall public benefit of farmland preservation; and

***WHEREAS***, the Township is authorized to acquire interests in Property for public purposes, pursuant to N.J.S.A. 40A:12-1 et seq., and any other applicable law.

***NOW, THEREFORE 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 authorizes the acceptance of an Access Easement on the Property from the Owner Theodore and Grace Peters for \$1.00 and other good and valuable consideration to ensure that the mowing requirements required by the County are met as set forth in the County’s form of Restrictive Covenant required for this transaction, which the Township also approves.

**Section 2.** On behalf of the Township Committee of the Township of Readington, the Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as appropriate, are authorized to prepare and sign any and all documentation necessary to effectuate the acceptance of the aforementioned Access Easement from the Owner, as well as any other documents required by the County in connection with the same.

**Section 3.** Severability  
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 Judgement shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause, to this end, the provisions of this Ordinance are hereby declared to be severable.

**Ordinance #04-2012 cont'd:**

**Section 4.** Effective Date.  
This ordinance shall take effect immediately upon final adoption and publication according to law.

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

Mrs. Allen - Aye  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mayor Auriemma - Aye

The Public Hearing was scheduled for February 21, 2012 at 8:00 p.m.

**Contract Negotiations / Developers Agreement / Hartman / Block 36, Lot 48**

A **MOTION** was made by Mrs. Allen to approve the Developers Agreement, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mrs. Allen - Aye  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mayor Auriemma - Aye

**Contract Negotiations / 404 Dove Cote Court / Goyo-Shields**

Mayor Auriemma stated that this matter remains in Executive Session.

**Contract Negotiations / Professional Services / Wolff & Samson PC**

The following resolution was offered for consideration:

**#R-2012-32**

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR LEGAL SERVICES**

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

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

**WHEREAS**, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

**WHEREAS**, Wolff & Samson PC has submitted a proposal indicating they will represent the Township, under the direction of the Township Committee, in matters pertaining to the potential acquisition of Solberg Airport; and will perform all usual and customary legal services incident to such representation, and take ordinary measures required for the acquisition of this site, whether voluntary or otherwise, at a rate of \$325 per hour for Partners and \$285 per hour for Associates, not to exceed the amount appropriated for this service in the approved/ adopted budget. In addition, Wolff & Samson PC shall retain all vendors or consultants necessary for such acquisition and shall pay all invoices and will be reimbursed for payments made upon submission of receipts.

**Resolution #R-2012-32**

**WHEREAS**, Wolff & Samson PC has completed and submitted a Business Entity Disclosure Certification which certifies that Wolff & Samson PC 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 Wolff & Samson PC from making any reportable contributions through the term of the contract; and

**WHEREAS**, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2012 budget.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Wolff & Samson PC 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, 2012; and

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

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

A **MOTION** was made by Mrs. Allen to adopt this resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mrs. Allen	- Aye
Mr. Gatti	- Aye
Mrs. Muir	- Aye
Mayor Auriemma	- Aye

**Attorney-Client Privilege / Executive Session Minutes / January 17, 2012**

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes of January 17, 2012 for content only, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

**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 Auriemma stated that this matter remains in Executive Session.

Mayor Auriemma stated that the Republican Committee met on February 2, 2012 with the purpose to nominate three (3) qualified members for further selection by the Readington Township Committee. Mayor Auriemma stated that the Republican Party nominated County Committee members Jane Butula, Mary Grace Flynn and Betty Ann Fort. Betty Ann Fort was the only member present and Mayor Auriemma asked Mrs. Fort if she would like to speak to the Committee. Mrs. Fort presented her qualifications to the Committee.

Mr. Gatti stated that he felt Mrs. Fort has done fine job guiding the Board of Adjustment through many applications and endorses Mrs. Fort.

A **MOTION** was made by Mr. Gatti to endorse Betty Ann Fort to temporarily fill the vacancy on the Township Committee, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Mrs. Fort presented the Committee with her letter of resignation from the Board of Adjustment.

The following resolution was offered for consideration:

**#R-2012-33**

***A RESOLUTION TEMPORARILY FILLING THE VACANT TOWNSHIP COMMITTEE SEAT OF DONNA SIMON***

**WHEREAS**, pursuant to the Municipal Vacancy Law, N.J.S.A. 40A:16-3(f), the office of a member of the governing body of a municipality shall be deemed vacant when said member files a written resignation with the municipal clerk; and

**WHEREAS**, due to the resignation of Township Committeewoman Donna Simon, a vacancy has been created on the Township Committee of the Township of Readington; and

**WHEREAS**, the Municipal Vacancy Law further provides, at the N.J.S.A. 40A:16-5(b) and N.J.S.A. 40A:16-11, that the governing body of the municipality may temporarily fill said vacancy by selecting one of three nominees, which are presented by the municipal committee of the former officer's political party; and

**WHEREAS**, said temporary appointment must be made by the governing body within thirty (30) days of the occurrence of the vacancy; and

**WHEREAS**, having been presented with the names of three (3) nominees from the Readington Township Republican Municipal Committee to fill the aforementioned vacancy, the Township Committee of the Township of Readington desires to take the following action.

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

1. That the Township Committee hereby appoints Betty Ann Fort, whose name was submitted by the Readington Township Republican Municipal Committee to temporarily fill the vacancy on the Township Committee of the Township Readington as a result of the resignation of Committeewoman Donna Simon, until a successor has been duly elected and qualified pursuant to the Municipal Vacancy Law, N.J.S.A. 40A:16-5(b).
2. That the remainder of Donna Simon's unexpired term shall be filled at the next general election pursuant to the Municipal Vacancy Law, N.J.S.A. 40A:16-5(b).
3. That a certified copy of this Resolution shall be provided to the Readington Township Republican Municipal Committee.

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

Mrs. Allen - Aye  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mayor Auriemma - Aye

***Swearing in of Betty Ann Fort to the Township Committee***

Administrator Mekovetz administered the Oath of Office to Betty Ann Fort.

***CONSENT AGENDA:***

Mayor Auriemma 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 January 17, 2012
- \* 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 23, Lot 18 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 \$179.44, plus a premium paid in the amount of \$100.00, known as Tax Sale Certificate #11-03, to the lienholder, US Bank – Custodian for Pro Capital I, 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 35, Lot 20 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 \$871.32, plus a premium paid in the amount of \$300.00, known as Tax Sale Certificate #11-06, to the lienholder, Tad J. Dabrowski.

- \* 4. ***Award of Bond Anticipation Notes - \$33,300,000***

\$ 33,300.000 DATED 2/1/12 AT 1.00% - MATURITY 2/1/13  
PREMIUM AT SALE \$ 199,966.50  
NET INTEREST RATE = .399%

NOTES AWARDED TO TD SECURITIES

PURPOSE OF SALE: ROLLOVER A PORTION OF  
EXISTING NOTES AND FUND A NEW ORDINANCE

\* 5. ***Resolution to Amend Deferred Compensation Plan for Public Employees – Roth Contribution Within 457 Governmental Plan and Trust***

The following resolution was offered for consideration:

***#R-2012-34***

***RESOLUTION TO AMEND DEFERRED COMPENSATION PLAN FOR PUBLIC EMPLOYEES - ROTH CONTRIBUTION WITHIN 457 GOVERNMENTAL PLAN AND TRUST***

***WHEREAS***, the Township Committee of the Township of Readington, County of Hunterdon, had previously approved and adopted the Township of Readington Deferred Compensation Plan ("Plan") to provide employees of the Township with retirement benefits,

***BE IT RESOLVED***, that the Township Committee does hereby declare the intention of the Township to amend the Plan and include the eligible designated Roth Contributions by participants as of the effective date of this resolution and that the Plan Administrator apply all applicable regulations to the Roth Contributions and communicate to participants the availability of such contributions to a Roth and permit participants to modify their elections at least once each Plan year.

\* 6. ***2012 Vacation Carryover***

The following resolution was offered for consideration:

***#R-2012-35***

***TOWNSHIP OF READINGTON  
 RESOLUTION***

***WHEREAS***, Section 8.3 of the *Readington Township Personnel Policies, Practices and Regulations* permits employees to carry over vacation days of the current year, and

***WHEREAS***, permission to do so must be granted by the Township Committee, and

***WHEREAS***, current year vacation days carried over into the subsequent year must be used by March 31, and

***WHEREAS***, the following employees have requested carry-over of the vacation time noted:

<b><i>NAME</i></b>	<b><i>HOURS</i></b>
Apgar	32
Balogh	6
Barczyk	34
Benecchi	104
Bolek	8
Carro	7
Clapp	49
Crater	22
Donaruma	66.5
duFosse	72
Federico	10
Gooley	110
Gould	32
Grear	15
Hall	24
Hartmann	60
Hoofatt	65
Hudecek	8

Hulcher	27
Hunt	11.75
Jacukowicz	28
Jessemen	48
Kaulius	8
Kennedy	37
Konn	23.75
Kovonuk	31.5
Kulick	12
Liddane	34.5
Lorenzi	20
Madeano	43.75
Marcine	44
Mastro	38.25
Medvetz	36
Mekovetz	36.
Mitchell	22.5
Parker	21
Paustian	32
Przewozny	56
Petzinger	7
Rindock	12
Riva	42
Rubino	14
Slutter	7
Stoveken	38
Vurickio	16
Warner	8
Wester	12

***NOW, THEREFORE, BE IT RESOLVED*** that the Township Committee does hereby grant permission for the requests as presented.

- \* 7. ***Somerset Wheelman Annual Readington Time Trail Event*** – permission to conduct time trial cycling event April 14, 2012
- \* 8. ***Whitehouse Fire Company No. 1 – Request to hold 2012 Annual Coin Toss Fundraiser / June 1<sup>st</sup> and 2<sup>nd</sup> (rain dates: June 8<sup>th</sup> and 9<sup>th</sup>)***
- \* 9. ***Whitehouse Rescue Squad – Request to hold 2012 Annual Coin Toss Fundraiser***  
 March 30<sup>th</sup> and 31<sup>st</sup> (rain dates: April 13<sup>th</sup> and 14<sup>th</sup>)  
 June 22<sup>nd</sup> and 23<sup>rd</sup> (rain dates: June 29<sup>th</sup> and 30<sup>th</sup>)  
 September 21<sup>st</sup> and 22<sup>nd</sup> (rain dates: September 28<sup>th</sup> and 29<sup>th</sup>)
- \* 10. ***Report on Variance Applications for 2011***

***RESOLUTION OF THE BOARD OF ADJUSTMENT  
 THE TOWNSHIP OF READINGTON***

***REPORT OF VARIANCE APPLICATIONS (2011)***

***WHEREAS***, the Board of Adjustment of Readington Township, pursuant to 40:55D-70.1, has undertaken annual review of its decisions on applications and appeals for variances; and

***WHEREAS***, the Board desires to set forth by Resolution its findings on zoning ordinance provisions which were the subject of variance requests and its recommendations for zoning ordinance amendments or revisions; and

***WHEREAS***, the Board directs its staff to forward copies of the report and Resolution to the Governing Body and Planning Board;

***NOW, THEREFORE, BE IT RESOLVED*** by the Board of Adjustment of Readington Township as follows:

The following is a list of variances granted:

<b><i>RESOLUTION</i></b>	<b><i>BLOCK</i></b>	<b><i>LOT</i></b>	<b><i>TYPE OF APP.</i></b>	<b><i>DATE MEMORIALIZED</i></b>
Report of Variance				
Mark Hartman	36	47 & 48	Extension of time	17-Feb-11
Winfield Management	8	3	Amended Resolution	17-Feb-11
Hunterdon Hill Animal Hospital	21.13	7	Amended Resolution	17-Feb-11
Professional Services				21-Apr-11
Mark Hartman	36	47 & 48	Extension of time	19-May-11
Mark Hartman	36	47 & 48	Extension of time	16-Jun-11
Mark Hartman	36	47 & 48	Extension of time	21-Jul-11

\* 11. ***Permit Fee Fund*** (Calhoun, Block 87, Lot 10)

\* 12. ***Payment of Bills*** – (Complete bill list is on file in Clerk’s Office)

<b><u>Fund Description</u></b>	<b><u>Fund No.</u></b>	<b><u>Received Total</u></b>
CURRENT FUND	1-01	\$ 27,821.45
CURRENT FUND	2-01	\$ 828,058.14
SEWER APPROPRIATIONS	2-02	\$ 103,445.84
TRUST FUNDS	X-03	\$ 59,501.44
MISC REFUND, COUNTY TAX, LIENS	X-05	\$3,034,319.94
PAYROLL DEDUCTIONS	X-06	\$ 584,006.52
REG. & LOCAL SCHOOL TAX	X-07	\$2,436,721.00
2010 CAPITAL	X-10	\$ 20,660.40
2011 CAPITAL	X-11	\$ 34,612.40
<b>TOTAL OF ALL FUNDS</b>		<b>\$7,129,147.13</b>

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

- Mrs. Allen - Aye
- Mrs. Fort - Abstain
- Mr. Gatti - Aye
- Mrs. Muir - Aye
- Mayor Auriemma - Aye

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

There were none.

***CORRESPONDENCE / OTHER INFORMATION***

1. Letter from Mayor and Council of Lebanon Borough regarding ***Resolution Supporting Shared Services and Discussions on County Wide School.***  
No action taken.
2. Memorandum dated January 20, 2012 from Rose Sollena, Municipal Clerk, Township of Raritan regarding ***An Ordinance Adopting a “Redevelopment Plan” for an Area in Need of Redevelopment Including Block 16.02/Lot 41 Formerly Occupied by the Yale Material Handling Corporation Manufacturing Facility in Accordance with N.J.S.A. 40A:12A-7. And Amendments and Supplements to Title 16 of the “Revised General Ordinances of the Township of Raritan” with Specific References to Existing***

***Section 16.22.010, “Establishment of Zones”, to Existing Section 16.22.020, “Zoning Map”, and to a New Section 16.28C which includes Zoning Provisions for a New “RJR” Raritan Junction Redevelopment District Governing the Development of a “Raritan Junction Redevelopment Plan.”***  
No action taken.

3. Memorandum dated January 30, 2012 from Donna Burham, Municipal Clerk, Township of Clinton regarding ***An Ordinance Supplementing and Amending Chapter 165 Entitled “Land Use Regulations of The Code of the Township of Clinton, 2003 as Heretofore Supplemented and Amended, is Hereby Further Supplemented and Amended to Revise the Zoning Map by Changing the Zone Classification of Block 68, Lot 3 from the RC Rural Conservation Zone District to the OB-1 Office Building-1 Zone District.*** No action taken.

### **OLD BUSINESS**

1. ***An Ordinance to Provide for the Vacation of Portions of Sophie Street in the Township of Readington, County of Hunterdon and State of New Jersey, Previously Dedicated for Public Roadway Purposes***

The following ordinance was offered for introduction:

***AN ORDINANCE TO PROVIDE FOR THE VACATION OF PORTIONS OF SOPHIE STREET IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY, PREVIOUSLY DEDICATED FOR PUBLIC ROADWAY PURPOSES***

***ORDINANCE #05-2012***

***WHEREAS***, Sophie Street is a municipal roadway within the Township of Readington which appears on Filed Map #127 recorded in the Hunterdon County Clerk's Office on April 12, 1954; and

***WHEREAS***, one portion of Sophie Street is improved and the other portion is an unimproved paper street; and

***WHEREAS***, the unimproved portion of Sophie Street crosses property known as Block 38, Lot 54.02 (formerly Lot 75) on the official tax map of the Township of Readington, which property is owned by Michael A. Renda and Marie Renda and is the subject of a major subdivision application by Ridge Road Realty, LLC, that received preliminary approval from the Readington Township Planning Board and is memorialized in Resolution #2010-284, adopted July 26, 2010; and

***WHEREAS***, the subdivision application proposes the realignment of Sophie Street, including the vacation of two small portions thereof totaling approximately .420+/- ac., as shown on a map entitled "Right of Way Vacation of a Portion of Sophie Street, Crossing Block 38, Lot 54.02, Readington Township, Hunterdon County, NJ", prepared by John Cilo Jr. Associates, Inc., dated 8/02/11 and marked as file 16123" which map is attached hereto as Schedule A, and which is specifically described in the legal descriptions attached hereto as Schedule B-1 and B-2, and all of which are on file with the Township Clerk's Office; and

***WHEREAS***, both the Township Committee and the Planning Board have reviewed the portions of Sophie Street to be vacated and determined that they are not needed for public use, provided additional land will be dedicated to realign the roadway in order to serve the lots created by the subdivision as proposed by the above-mentioned subdivision application.

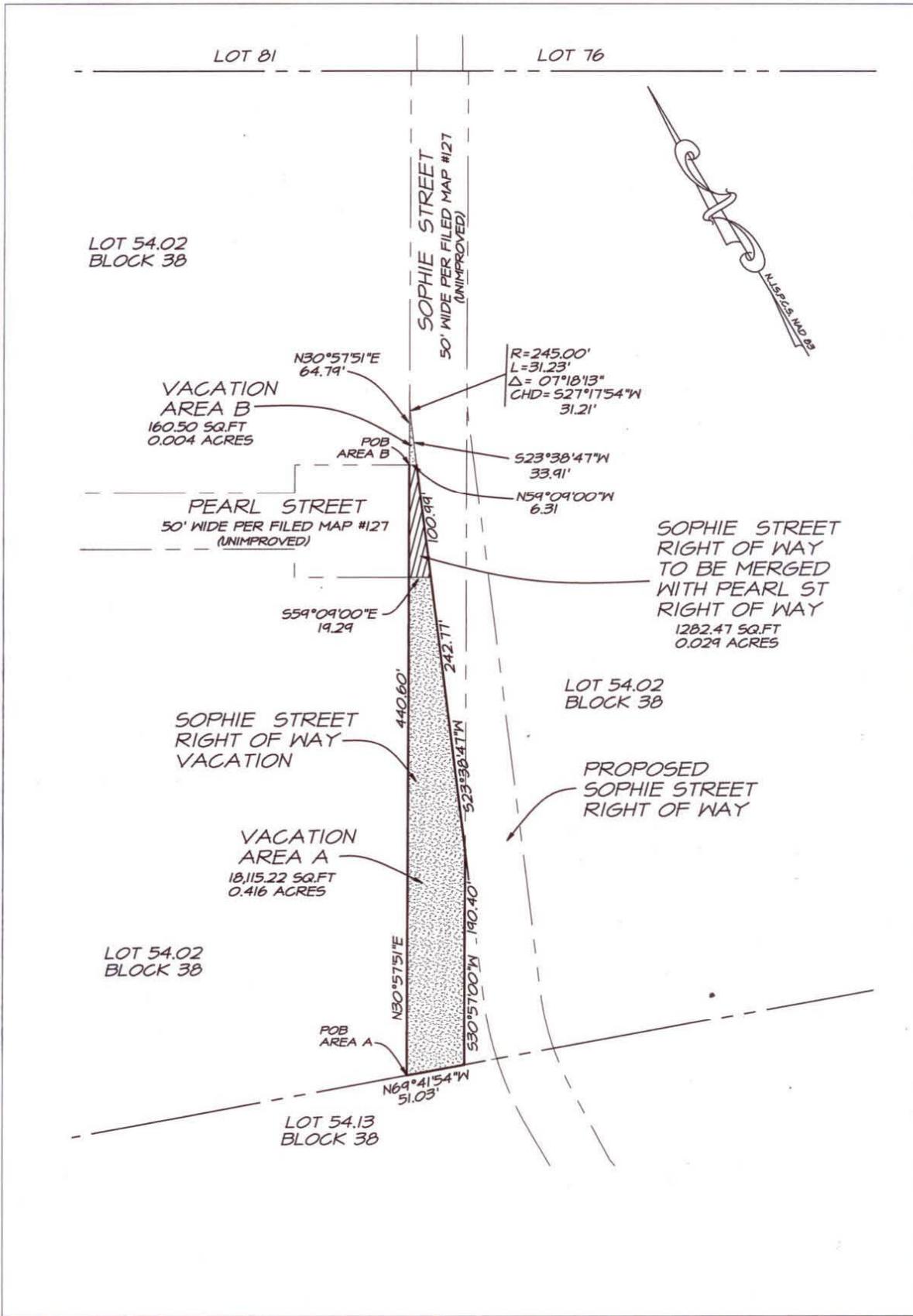
***NOW, THEREFORE BE IT ORDAINED*** by the Mayor and Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, pursuant to the provisions of N.J.S.A. 40:67-1 et seq., as follows:

***Ordinance #05-2012 cont'd:***

**SECTION ONE.** Vacations of the portions of Sophie Street as shown on Schedules A, B-1 and B-2 is hereby authorized, contingent upon the realignment of Sophie Street being accomplished and dedicated to the Township as proposed by the owner of Block 38, Lot 54.02, Michael A. Renda and Marie Renda, also as shown on Schedule A. The Township shall convey a quitclaim deed to the property owner of Block 38, Lot 54.02 for a nominal consideration.

**SECTION TWO.** The Township Attorney, Mayor, Deputy Mayor and/or Administrator/Clerk are hereby authorized to take all necessary steps to convey an appropriate deed to the property owner of Block 38, Lot 54.02 for portions of Sophie Street to be vacated.

**SECTION THREE.** Effective Date.  
This ordinance shall take effect immediately upon final adoption and publication according to law, and upon the recording of a quitclaim deed and this ordinance in the Hunterdon County Clerk's office, and after notice is given pursuant to NJ.S.A. 40:49-6.



<p><b>JOHN CILO Jr. ASSOCIATES</b>                  PROFESSIONAL                  ENGINEER, LAND SURVEYOR, PLANNER                  198 WEST HIGH STREET                  SOMERVILLE, NEW JERSEY 08876                  TELEPHONE 908-526-2121 FACSIMILE 908-707-1950                  Certificate of Authorization No. 24GA27926900</p>	<p><b>RIGHT OF WAY VACATION                  OF A PORTION OF SOPHIE STREET                  CROSSING BLOCK 38 LOT 54.02                  READINGTON TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY</b></p>				
	<p>date 08/02/11</p>	<p>drawn TDS</p>	<p>checked JC</p>	<p>scale 1"=100'</p>	<p>field bk. 383/68</p>
<p>JOHN CILO JR. N.J.P.E.&amp;S. No. 12942                  THOMAS D. STRONG N.J.L.S. No. 36781</p>					
<p>12-09-11 DATE</p>					
<p>REVISIONS</p>					

**SCHEDULE A**

JOHN CILO, JR. ASSOCIATES, INC.  
PROFESSIONAL ENGINEERS, PLANNERS AND LAND SURVEYORS



JOHN CILO, JR., P.E., P.L.S., C.M.E.  
SCARLETT DOYLE, P.P.  
NANCY WEAVER-SMITH, P.P., A.I.C.P.  
THOMAS STRONG, P.L.S.  
DEBORAH D'AMICO, P.E., C.M.E.

Deed Description  
Right of Way Vacation  
Portion of Sophie Street  
Readington Township  
Hunterdon County, NJ

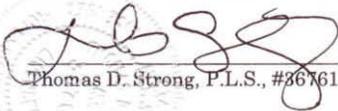
Area A

BEGINNING at a point on the existing westerly sideline of Sophie Street, said point being located at the intersection of said sideline and the common lot line between Lot 54.13 and Lot 54.02 in Block 38; thence

- 1) Along the existing westerly sideline of Sophie Street, N 30° 57' 51" E, a distance of 440.60 to a point on the existing southerly sideline of Pearl Street; thence
- 2) Along the new southerly sideline of Pearl Street, which is an extension of the existing southerly sideline S 59° 09' 00" E, a distance of 19.29' to a point on the new westerly sideline of Sophie Street; thence
- 3) Along said new westerly sideline of Sophie Street S 23° 38' 47" W, a distance of 242.77' to a point on the existing easterly sideline of Sophie Street; thence
- 4) Along said easterly sideline of Sophie Street; S 30° 57' 00" W, a distance of 190.40' to a point on the common lot line between Lot 54.13 and Lot 54.02, Block 38; thence
- 5) Along said lot line, N 69° 41' 54" W, a distance of 51.03' to the POINT AND PLACE OF BEGINNING.

Containing a calculated area of 18,115.22 sq. ft. 0.416 acres.

The above described is in accordance with a map entitled "Right of Way Vacation of a Portion of Sophie Street, Crossing Block 38, Lot 75, Readington Township, Hunterdon, County, NJ, prepared by John Cilo, Jr. Associates, Inc., dated 12/09/11 and marked as file 16123.

  
Thomas D. Strong, P.L.S., #36761  
JCA# 16123  
12/09/11

12-09-11  
Date

JOHN CILO, JR. ASSOCIATES, INC.  
PROFESSIONAL ENGINEERS, PLANNERS AND LAND SURVEYORS



JOHN CILO, JR., P.E., P.L.S., C.M.E.  
SCARLETT DOYLE, P.P.  
NANCY WEAVER-SMITH, P.P., A.I.C.P.  
THOMAS STRONG, P.L.S.  
DEBORAH D'AMICO, P.E., C.M.E.

Deed Description  
Right of Way Vacation  
Portion of Sophie Street  
Readington Township  
Hunterdon County, NJ

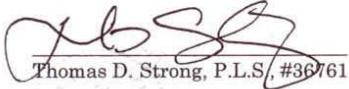
Area B

BEGINNING at a point on the westerly sideline of Sophie Street, said point being located at the intersection of said sideline and southerly sideline of Pearl Street; thence

- 1) Along the existing westerly sideline of Sophie Street, N 30° 57' 51" E, a distance of 64.79' to a point of cusp; thence
- 2) Along a newly created westerly sideline of Sophie Street, along a curve to the left with a radius of 245.00', an arc length of 31.23', a central angle of 07° 18' 13" and a chord bearing and distance of S 27° 17' 54" W, 31.21' to a point of tangency; thence
- 3) Still along same, S 23° 38' 47" W, a distance of 33.91' to a point on the existing northerly sideline of Pearl Street; thence
- 4) Along said northerly sideline of Pearl Street N 59° 09' 00" W, a distance of 6.31' to the POINT AND PLACE OF BEGINNING.

Containing a calculated area of 160.50 sq. ft 0.004 acres.

The above described is in accordance with a map entitled "Right of Way Vacation of a Portion of Sophie Street, Crossing Block 38, Lot 75, Readington Township, Hunterdon, County, NJ, prepared by John Cilo, Jr. Associates, Inc., dated 12/9/11 marked as file 16123.

  
Thomas D. Strong, P.L.S., #36761

12-09-11  
Date

JCA# 16123  
12/09/11

**SCHEDULE B-2**

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

Mrs. Allen - Aye  
Mrs. Fort - Abstain  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mayor Auriemma - Aye

The Public Hearing was scheduled for February 21, 2012 at 8:00 p.m.

**NEW BUSINESS**

1. ***Ryland Inn Requesting Flows Set by EDU Allocation be based on Average Daily Flow to Allow Full Development of the Site (Block 14, Lot 29) – recommendation from Sewer Advisory Board***

Mayor Auriemma stated that this was a recommendation from the Sewer Advisory Board. Mrs. Allen stated that the usage would be confined more toward the weekends, therefore the tank for slow release would only be instituted if deemed necessary by the metering. Attorney Dragan suggested that the Committee consider passing a resolution for a permanent record for both the Township and the applicant.

The following resolution was offered for consideration:

**#R-2012-36**

**TOWNSHIP OF READINGTON  
RESOLUTION**

**WHEREAS**, the Readington Township Sewer Advisory Committee (“Sewer Advisory Committee”) received a request on behalf of Frank Cretella, purchaser of the Ryland Inn property (hereinafter “Applicant”), located on Block 14, Lot 29 in the Township, that sewerage flows from the property be based upon average daily flow; and

**WHEREAS**, Block 14, Lot 29 currently has a sewerage allocation of 9, 450 gallons per day (gpd) which equates to 27 Sewer Rental Units (SRUs); and

**WHEREAS**, according to a letter dated December 2, 2011 from the Applicant’s engineer to the Sewer Advisory Committee, the Applicant plans to utilize the property for a hotel, dining and social events; and

**WHEREAS**, from past experience at a similar facility owned by the Applicant in Somerset County, it is expected that site utilization will be less during the week and great during the weekend; and

**WHEREAS**, the Township Committee has received a memorandum dated January 13, 2011 from the Sewer Advisory Committee recommending that the application be approved, with conditions; and

**WHEREAS**, the Township Committee is in agreement with the recommendation made by the Sewer Advisory Committee in the aforementioned memorandum.

**THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, as follows:

1. The Township Committee does hereby approve the request made by the Applicant Frank Cretella that sewerage flows on the Ryland Inn property, also known as Block 14, Lot 29, be based on Average Daily Flow, in accordance with the conditions set forth in the recommendation of the Sewer Advisory Committee dated January 13, 2011 as follows:
  - i. if the flows are higher than expected or the uneven flow becomes problematic for the sewer plant, then it shall be remediated with a tank which will release the sewerage during the slower periods;
  - ii. the flows shall be metered and reported at a sufficient frequency in order to be monitored; and
  - iii. the aforementioned method shall be reviewed prior to the phase of the development during which the hotel is constructed to ensure that the concept is working as planned

**Resolution #R-2012-36 cont'd:**

2. The aforesaid measures shall be undertaken at the Applicant's expense.

A **MOTION** was made by Mrs. Allen to adopt this resolution seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mrs. Allen	- Aye
Mrs. Fort	- Aye
Mr. Gatti	- Aye
Mrs. Muir	- Aye
Mayor Auriemma	- Aye

2. ***An Ordinance to Provide for the Acceptance of Certain Sight Easements on Block 36, Portions of Lot 47 in the Township of Readington, County of Hunterdon and State of New Jersey from Whitehouse Management, LLC***

The following ordinance was offered for introduction:

***AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN SIGHT EASEMENTS ON BLOCK 36, PORTIONS OF LOT 47 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM WHITEHOUSE MANAGEMENT, LLC***

***ORDINANCE #06-2012***

***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.** In accordance with N.J.S.A. 40A:12-4 and 5, et seq., the Township of Readington hereby accepts for public safety purposes, two sight easements on property known as Block 36, Portions of Lot 47, along Coddington Road and NJ State Hwy, Route 22 which have dedicated to the Township by Whitehouse Management, L.L.C., as more particularly set forth in the Easement document on file in the office of the Readington Township Clerk, at the Readington Township Municipal Building, 509 Route 523, Whitehouse Station, N.J.

**SECTION 2.** 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.** This ordinance shall take effect immediately upon final adoption and publication according to law, and upon the recording of the easement and this Ordinance with the Hunterdon County Clerk.

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

Mrs. Allen	- Aye
Mrs. Fort	- Aye
Mr. Gatti	- Aye
Mrs. Muir	- Aye
Mayor Auriemma	- Aye

The Public Hearing was scheduled for February 21, 2012 at 8:00 p.m.

3. ***An Ordinance to Provide for the Acceptance of Certain Sight Easements on Block 36, a Portion of Lot 48 in the Township of Readington, County of Hunterdon and State of New Jersey from Farm Property, LLC***

The following ordinance was offered for introduction:

***AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN SIGHT EASEMENTS ON BLOCK 36, A PORTION OF LOT 48 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM THE FARM PROPERTY, LLC***

***ORDINANCE #07-2012***

***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.** In accordance with N.J.S.A. 40A:12-4 and 5, et seq., the Township of Readington hereby accepts for public safety purposes, two sight easements on property known as Block 36, a portion of Lot 48, along Coddington Road and NJ State Hwy, Route 22 which have dedicated to the Township by The Farm Property , L.L.C., as more particularly set forth in the Easement document on file in the office of the Readington Township Clerk, at the Readington Township Municipal Building, 509 Route 523, Whitehouse Station, N.J.

**SECTION 2.** 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.** This ordinance shall take effect immediately upon final adoption and publication according to law, and upon the recording of the easement and this Ordinance with the Hunterdon County Clerk.

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

Mrs. Allen	- Aye
Mrs. Fort	- Aye
Mr. Gatti	- Aye
Mrs. Muir	- Aye
Mayor Auriemma	- Aye

The Public Hearing was scheduled for February 21, 2012 at 8:00 p.m.

4. ***An Ordinance to Provide for the Acquisition of a Public Access Easement on a Portion of Block 66, Lot 24 in the Township of Readington, County of Hunterdon and State of New Jersey***

Mrs. Allen recused herself from this discussion.

The following ordinance was offered for introduction:

***AN ORDINANCE TO PROVIDE FOR THE ACQUISITION OF A PUBLIC ACCESS EASEMENT ON A PORTION OF BLOCK 66, LOT 24 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY***

***ORDINANCE #08-2012***

***WHEREAS***, there exists property known in the Township as Block 66, Lot 24 (a portion of which was formerly known as Block 66, Lot 52) and is hereinafter referred to as “the Property”, which is owned by Richard and Julia Allen, hereinafter “Owner”, and

***WHEREAS***, the Owner has offered to donate to the Township an approximately 20’ wide public access easement (consisting of approximately .535+/- acres), on the Property, to be used and developed as a trail for passive recreation purposes, provided that unauthorized motor

**Ordinance #08-2012 cont'd:**

vehicles are prohibited on same; and

**WHEREAS**, the Readington Township Open Space Advisory Board has recommended the Township's acquisition of the proposed access easement because, among other things, it will allow the public to cross from one open space parcel to another in the cluster of open space properties in Block 66 known as the "The Cole Road Greenway" and will thus provide an important connection needed to complete the Township's grant-funded recreational trail system; and

**WHEREAS**, the Township is authorized to acquire interests in Property for public purposes, pursuant to N.J.S.A. 40A:12-1 et. seq., and any other applicable law.

**NOW, THEREFORE 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 shall acquire and accept a 20' wide Access Easement ("Easement") on a .535+/- acre portion of property known as Block 66, Lot 24 on the official tax map of the Township of Readington as offered to be donated by the Owner Richard and Julia Allen. The access easement may be developed for trail purposes for use by pedestrians, as well as those on horseback. However, unauthorized motor vehicles shall be prohibited. The aforesaid Easement shall run with the land.

**SECTION 2.** On behalf of the Township Committee of the Township of Readington, the Mayor, Township Administrator/Clerk and Township Attorney, as appropriate, are authorized to prepare and execute any and all documentation necessary to effectuate the acceptance of the aforementioned Easement from the Owner.

**SECTION 3.** 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 Judgement shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause, to this end, the provisions of this Ordinance are hereby declared to be severable.

**SECTION 4.** This ordinance shall take effect immediately upon final adoption and publication according to law.

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

Mrs. Allen	- recused
Mrs. Fort	- Aye
Mr. Gatti	- Aye
Mrs. Muir	- Aye
Mayor Auriemma	- Aye

The Public Hearing was scheduled for February 21, 2012 at 8:00 p.m.

5. ***An Ordinance to Amend Section 96-6. Construction Records Clearance Required*** - discussion

Mayor Auriemma stated that when a property is purchased in Readington Township a construction records clearance will be provided which would indicate whether there were any outstanding permits. Mrs. Allen asked how far the records would go back. Attorney Dragan recommended adding language relating to *the duration of years that the records go back* to the ordinance.

The following ordinance was offered for introduction:

***AN ORDINANCE AMENDING CHAPTER 96, ENTITLED “CONSTRUCTION CODES, UNIFORM” OF THE CODE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY***

***ORDINANCE #09-2012***

***BE IT ORDAINED***, by the Mayor and Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Chapter 96 of the Code of the Township of Readington entitled “Construction Code, Uniform ” is hereby amended to add the following new section and provisions as follows:

**SECTION 1. Chapter 96, “Construction Code, Uniform”**

**§96-6. Construction Records Clearance Required (CRC)**

**§ 96.6.1. When Required.**

a. No building or structure shall be occupied in whole or in part prior to the issuance of a certificate of construction records clearance (CRC). A CRC shall be required prior to the sale of any residential or commercial structure

b. Exceptions. The following transactions are exempt from obtaining a CRC as long as no change in physical occupancy occurs:

1. Transfer of title to correct a previously recorded deed.
2. Title eligible to be recorded as an ancient deed pursuant to N.J.S.A. 46:16-7.
3. Transfer of title between husband and wife, whether or not relating to divorce, or between former spouses if the transfer is incident to an order or judgment from any court of competent jurisdiction.
4. Transfer of title relating to new construction for which a certificate of occupancy is required.
5. Transfer of title by or to an executor, administrator or court order which affects a distribution of a descendant's estate in accordance with the provisions of the descendant's will or the interstate laws of the state.
6. Transfer of title due to refinancing, home equity loans, second mortgages.
7. Transfer of title by or to a receiver, trustee in bankruptcy or liquidation, or assignee for the benefit of creditors.
8. Residential rentals.

**§ 96.6.2. Responsibility.**

No owner shall permit the sale of a residential or commercial premises or rental of commercial premises covered under this section unless the requisite CRC has been issued. No purchaser or tenant shall occupy any premises covered under this section until the requisite CRC has been issued. Owners, tenants and occupants shall be jointly and separately responsible for failure to obtain the requisite CRC required hereunder. The owner or his authorized agent shall submit a written application and payment of fees at least 10 business days prior to the change of ownership and/or occupancy on the form provided by the Township.

**Ordinance #09-2012 cont'd:**

**§ 96.6.3. Preoccupancy records inspection.**

Prior to the issuance of any such certificate for any transaction, the enforcing agency shall conduct a records inspection to ensure that there are no open construction permits on subject premises. Uniform Construction Code records will be researched starting January 1, 1977 forward. Records requested prior to the existence of the Uniform Construction Code (effective 1/1/77) will be researched starting from January 1, 1964 through December 31, 1976. Should there be open permits on subject premises, all final inspections and prior approvals shall be obtained and appropriate Uniform Construction Code certificates<sup>1</sup> shall be issued prior to issuance of the CRC.

**§ 96.6.4. Fees.**

The applicant shall submit with the application fees for the CRC as follows to cover the administrative cost in accordance with the following schedule:

- a. 1-5 business days:           \$100.00
- b. 6-10 business days         \$ 70.00
- c. 11-20 business days       \$ 40.00

**§ 96.6.5. Violations and Penalties.**

- a. Any person, firm or corporation violating any provisions of this section shall, upon conviction, be punishable by a fine not exceeding \$1,000, imprisonment for a period not exceeding 90 days and/or a period of community service not exceeding 90 days.
- b. The issuance of a CRC shall not preclude the imposition of penalties upon subsequent discovery of violations.
- c. Certificates are valid for 6 months from the date of issue unless a change in occupancy has occurred, and must be renewed for each occupancy change.

**SECTION 2. Repealer.**

All ordinances and resolutions or parts thereof which are inconsistent with this ordinance are repealed.

**SECTION 3. Severability.** 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 severable.

**SECTION 4. Effective date.** This ordinance shall take effect immediately upon final adoption and publication according to the law of the State of New Jersey.

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

- Mrs. Allen                   - Aye
- Mrs. Fort                   - Aye
- Mr. Gatti                   - Aye
- Mrs. Muir                   - Aye
- Mayor Auriemma         - Aye

The Public Hearing was scheduled for March 5, 2012 at 8:00 p.m.

- 6.       ***Lien Redemption Ordinance*** - discussion

Administrator Mekovetz stated that the Tax Collector suggested that the Township Committee adopt a similar ordinance. Administrator Mekovetz stated that the ordinance will allow the Township to charge \$50 for the third and all subsequent lien redemption calculations in a calendar year.

The following ordinance was offered for introduction:

***AN ORDINANCE AMENDING CHAPTER 119, ENTITLED “FEES” OF THE CODE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY***

***ORDINANCE #10-2012***

***BE IT ORDAINED***, by the Mayor and Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Chapter 119 of the Code of the Township of Readington entitled “Fees” is hereby amended to add the following new article and provisions as follows:

**SECTION 1. Chapter 119, Article III “Fees for Request for Redemption Calculation”**

**§119-7. Fees for Copies.**

- A. In accordance with N.J.S.A. 54:5-54 the tax collector shall provide to any party entitled to redeem a certificate pursuant to this section (N.J.S.A. 54:5-54) two calculations of the amount required for redemption within a calendar year at no cost. For each subsequent calculation requested from the tax collector there shall be a \$50.00 fee. A request for a redemption calculation shall be made in writing to the tax collector.
- B. In accordance with N.J.S.A. 54:5-97.1 the tax collector may charge a lienholder of a tax lien \$50.00 for the calculation of the amount due to redeem the tax lien as required by N.J.S.A. 54:5-97.1. Any request for a redemption calculation, which shall be the date of the notice. Neither the tax collector nor the municipality shall be liable for an incorrect calculation. The fee paid to the municipality shall not become part of the lien and shall not be passed on to any party entitled to redeem pursuant to N.J.S.A. 54:5-54.

**SECTION 2. Repealer.**

All ordinances and resolutions or parts thereof which are inconsistent with this ordinance are repealed.

**SECTION 3. Severability.** 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 severable.

**SECTION 4. Effective date.** This ordinance shall take effect immediately upon final adoption and publication according to the law of the State of New Jersey.

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

Mrs. Allen	- Aye
Mrs. Fort	- Abstain
Mr. Gatti	- Aye
Mrs. Muir	- Aye
Mayor Auriemma	- Aye

The Public Hearing was scheduled for March 5, 2012 at 8:00 p.m.

7. ***Request for Zoning Ordinance Amendment (Anderson House-Route 523)*** – letter dated January 23, 2012 from George Dilts, Esq.

Attorney Dragan stated that she had received a request from George Dilts, Esq. on behalf of Anderson House to amend the zoning ordinance regarding community residences. Attorney Dragan stated the definition of these residences in our ordinance follows the Municipal Land Use Law, allowing up to fifteen (15) beds. Attorney Dragan continued that although there is a statute that speaks to developmental disabilities which Attorney Dilts' letter was referring to, allowing sixteen (16) beds, she felt Anderson House did not fall under the definition of serving people with developmental disabilities/mental illness but rather substance abuse. Attorney Dragan stated that she was waiting for a copy of the license from the Anderson House showing proof of what category they fall into. Attorney Dragan advised the Committee, based on the type of residence that it is, and since it does serve a benefit, a definition could be created in the ordinance to allow them as permitted use. In addition, Attorney Dragan stated that part of the request was for an affordable housing credit; however, the current affordable housing agreement with Anderson House pertains to plans for a future facility which COAH did not give a credit for anyway. Attorney Dragan suggested having the Zoning Officer go out to Anderson House to see how many bedrooms are dedicated to the residents. Mrs. Muir stated that the Anderson House is on a septic system and since the septic has already failed once, cautioned that several things need to be considered in this request. Mrs. Fort stated that parking has also been problematic at Anderson House. Mayor Auriemma suggested that Attorney Dilts come to a meeting to further discuss this.

8. ***New Jersey Festival of Ballooning 5K Run*** – letter dated January 26, 2012 from Ken Staats, V.P. of Operations, requesting to use township roads

Mayor Auriemma stated that this request is to hold a portion of a 5K run on the eastbound lane of Pulaski Road, leaving only one lane open while the runners use this route. Mrs. Muir stated that the run has previously been on airport property and asked what the benefit of using township roads to further tie up traffic during the Balloon Festival would be. Mr. Staats stated that although the run was on the airport property last year, it was difficult due to the uneven terrain therefore they were looking for a more linear route. Mrs. Muir continued that she felt this would be dangerous and also inconvenience many of the local residents. The Committee discussed the safety concerns during the high volume traffic event. Mrs. Muir requested that an amended certificate of indemnification incorporating the use of the township roads for the run be provided. Attorney Dragan also stated that it should be advertised in the newspaper alerting the residents of the impact potential traffic during that time. The Committee agreed to permit this, however; wanted to re-evaluate it after a year.

***A MOTION*** was made by Mrs. Fort to give conditional approval with the 1) previous certificate of indemnification as well as the revised certificate to extend liability to non-contiguous roads off the Solberg property 2) a more detailed plan, (including time of the road closing, etc.) of how this will work between the Chief of Police and the sponsors of the race 3) communication with the residents on Glenmont, Pulaski and Menlo Roads that will be affected during the run 4) notification via the newspaper and proper signage alerting all residents of the impact of the potential traffic during that time 5) based on approval for one year only to be re-evaluated after the event, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mrs. Allen	- Aye
Mrs. Fort	- Aye
Mr. Gatti	- Aye
Mrs. Muir	- Nay
Mayor Auriemma	- Nay

9. ***Request to Release Performance Bond / Genesis Building, Inc.***  
(Block 42, Lot 17) – letter dated February 1, 2012 from Engineer R. O’Brien

Engineer O’Brien stated that this matter needs to be deferred until Genesis Building provides the maintenance bond.

- \* 10. ***Award of Bond Anticipation Notes - \$33,300,000***

This matter was addressed under the Consent Agenda.

- \* 11. ***Resolution to Amend Deferred Compensation Plan for Public Employees – Roth Contribution Within 457 Governmental Plan and Trust***

This matter was addressed under the Consent Agenda.

- \* 12. ***2012 Vacation Carryover***

This matter was addressed under the Consent Agenda.

- \* 13. ***Somerset Wheelman Annual Readington Time Trail Event*** – permission to conduct time trial cycling event April 14, 2012

This matter was addressed under the Consent Agenda.

- \* 14. ***Whitehouse Fire Company No. 1 – Request to hold 2012 Annual Coin Toss Fundraiser / June 1<sup>st</sup> and 2<sup>nd</sup> (rain dates: June 8<sup>th</sup> and 9<sup>th</sup>)***

This matter was addressed under the Consent Agenda.

- \* 15. ***Whitehouse Rescue Squad – Request to hold 2012 Annual Coin Toss Fundraiser***

March 30<sup>th</sup> and 31<sup>st</sup> (rain dates: April 13<sup>th</sup> and 14<sup>th</sup>)

June 22<sup>nd</sup> and 23<sup>rd</sup> (rain dates: June 29<sup>th</sup> and 30<sup>th</sup>)

September 21<sup>st</sup> and 22<sup>nd</sup> (rain dates: September 28<sup>th</sup> and 29<sup>th</sup>)

This matter was addressed under the Consent Agenda.

- \* 16. ***Report on Variance Applications for 2011***

This matter was addressed under the Consent Agenda.

- \* 17. ***Permit Fee Fund*** (Calhoun, Block 87, Lot 10)

This matter was addressed under the Consent Agenda.

### ***ADMINISTRATOR’S REPORT***

Administrator Mekovetz stated that at the January 17, 2012 the Committee adopted a resolution to approve a Person to Person / Place to Place transfer of a liquor license issued to SAR II to the Ryland Manor. Administrator Mekovetz stated that it was not realized at the time that the required Transfer Tax Clearance Certificate had not been submitted; therefore requested that the Committee rescind the prior resolution and since the Clearance Certificate has now been received, approve the transfer at this meeting.

A **MOTION** was made by Mr. Gatti to rescind Resolution #2012-32, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

Mrs. Allen - Aye  
Mrs. Fort - Abstain  
Mr. Gatti - Aye  
Mrs. Muir - Nay  
Mayor Auriemma - Nay

The following resolution was offered for consideration:

**#R-2012-36**  
**TOWNSHIP OF READINGTON**  
**RESOLUTION**

**WHEREAS**, an application has been filed for a Person to Person / Place to Place transfer for Plenary Retail Consumption License #1022-33-006-007, heretofore issued to **SAR II Inc.**, for premises located at 111 Route 22 West, Whitehouse, NJ 08888; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, does hereby approve, effective February 6, 2012, the Person to Person / Place to Place transfer for the aforesaid Plenary Retail Consumption License to **Ryland Manor, LLC** and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: AThis license, subject to all its terms and conditions, is hereby transferred to **Ryland Manor, LLC** effective February 6, 2012.

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

Mrs. Allen - Aye  
Mrs. Fort - Abstain  
Mr. Gatti - Aye  
Mrs. Muir - Aye  
Mayor Auriemma - Aye

**ATTORNEY'S REPORT**

Attorney Dragan stated that she had nothing further to report.

**ENGINEER'S REPORT**

Engineer O'Brien requested to do a power point presentation at the March 5th meeting on the Tier A permit requirements.

**COMMITTEE REPORTS**

**Tom Auriemma**

Mayor Auriemma stated that he had nothing further to report.

**Julia Allen**

Mrs. Allen reported that she had met with the Recreation Director and John Klotz to re-submit a revised version of the federal trail grant previously denied in 2011, which has a February 15, 2012 deadline. Mrs. Allen stated they are applying for a \$16,400 grant for the Pleasant Run Summer Road Trail System, including a short section inside Summer Road Park. Mrs. Allen continued that the grant would assist the Township in achieving the ultimate goal of having good handicapped access to all of the fields and the eventual goal of paving the perimeter path around Summer Road Park. Mrs. Allen stated that it would also help the Township make improvements to a one-mile loop within the newly acquired Toll property. Mrs. Allen stated that the Township's matching obligation of the grant would be \$4,100 and asked that the Committee consider passing a resolution in support of the grant application.

The following resolution was offered for consideration:

**#R-2012-37**

**TOWNSHIP OF READINGTON  
RESOLUTION**

**WHEREAS**, Readington Township Recreation and Open Space Committees intends to apply for the federal trail grants in the amount of \$16,400 for the Pleasant Run Summer Road Trail System; and

**BE IT RESOLVED**, that the Township Committee of the Township of Readington agrees to match the local obligation in the amount of \$4,100 and fully supports the application of the federal trail grant.

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

Mrs. Allen	- Aye
Mrs. Fort	- Aye
Mr. Gatti	- Aye
Mrs. Muir	- Aye
Mayor Auriemma	- Aye

Mrs. Allen stated that the Forest Harvest bill has been renumbered for 2012 and requested that the Committee amend the resolution in opposition to Senate 1085 and re-circulate the resolution.

The following resolution was offered for consideration:

**#R-2012-38**

**TOWNSHIP OF READINGTON  
RESOLUTION**

**WHEREAS** State Legislators are considering a bill that would open New Jersey's prized State owned lands to commercial logging, (S1085, Forest Harvest on State Lands), and

**WHEREAS** New Jersey's State Lands, including its Parks, Wildlife Management Areas and forested Green Acres Lands have been set aside for conservation and recreation purposes, and

**WHEREAS** these forested State lands were paid for and preserved with the support of a trusting public which assumed they would be protected from commercial exploitation, and

**WHEREAS** the towering hardwood trees growing in our State parks and forests contribute a far greater ecological and recreational value to the citizens of the State than they would if they were to be cut and sold as commercial lumber, and

**Resolution #R-2012-38 cont'd:**

**WHEREAS** according to information provided by the DEP, at the end of the five-year contract for the proposed Forest Harvest Program, a \$2.7 million net operating deficit is projected due to the high cost of oversight, and

**WHEREAS** commercial logging is likely to cause damage to roads, streams, and drainage swales in State lands that will cost money to restore and cause soil compaction and disturbance of the fragile ecosystem on the forest floor that will be impossible to restore, and

**WHEREAS** 37 PhD biologists, forest scientists, and ecologists from across the State have signed onto a letter in opposition to this Bill, agreeing that commercial timber harvesting would be detrimental to the public forests, and

**WHEREAS** this bill does not properly address the most serious threat to today's forests; that common hardwood species such as oaks, hickory, poplar and birch among others, are not regenerating due to high deer densities, and

**WHEREAS**, because of high deer densities, openings in the forest canopy, occurring as a result of timber harvesting, are colonized not by young hardwood trees, but by noxious weeds, typically vines, briars, and invasive plants from Asia, and

**WHEREAS** opening State lands to commercial logging would be detrimental to the flora and fauna, including the threatened and endangered species, that presently inhabit these lands;

**NOW THEREFORE BE IT RESOLVED**, that the Readington Township Committee hereby finds and declares that the commercial exploitation of public lands that have been set aside for conservation and recreation purposes is a betrayal of the public trust, and

**BE IT FURTHER RESOLVED**, that the Readington Township Committee urges the legislators of the State of New Jersey to vote NO to S1085 Forest Harvest on State Lands.

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

**Frank Gatti**

Mr. Gatti reported that on February 14<sup>th</sup> he will be sworn in at the Planning Board meeting and directly after that he is invited, as well as other Committee members, to the School Board meeting to discuss the idea of moving the school board elections to November.

Mr. Gatti reported that Annual Debt Statement was published and the debt went from \$64,000,000 to \$61,800,000.

Mr. Gatti reported that the *Basic 18<sup>th</sup> Century Meals Using Open Hearth Techniques* at the Bouman Stickney Farmstead on January 29<sup>th</sup> was well attended and yesterday *Cooking with Mother Goose, Delectable Treats Found in Mother Goose Rhymes* was held at the museum. Mr. Gatti further reported the 1<sup>st</sup> Grade Programs will start again as they take a trip back on *The Magic Bus to the 18<sup>th</sup> Century*.

**Beatrice Muir**

Mrs. Muir reported that 165 people were involved with *Adopt a Family Gift Program* and about 90 families received baskets coordinated through the church.

Mrs. Muir reported the Permit Fee log Report is available through the Construction Code Office.

Mrs. Muir reported a letter was sent to the State requesting clarification on what the County is doing with the new Board of Health designated officials.

Mrs. Muir requested that Administrator Mekovetz purchase three (3) more copies of the New Jersey Open Space maps, one for the Planning Board, the Open Space Committee and a copy to be kept at the Municipal Building.

***COMMENTS FROM THE PUBLIC***

There were none.

***COMMENTS FROM THE GOVERNING BODY***

Mrs. Allen stated that she would like to welcome Betty Ann Fort to the Township Committee.

As there was no further business, ***A MOTION*** was made by Mr. Gatti at 9:15 p.m. to adjourn the meeting, seconded by Mrs. Allen with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/RPPO  
Municipal Clerk