

**READINGTON TOWNSHIP COMMITTEE  
MEETING – OCTOBER 15, 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

**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>
Sewer Contribution Agreement /..... Block 4, Lot 94 (Fleck)	Contract Negotiations.....	Certain information at the discretion of Township Committee tonight...other information will be confidential
Ridge Road Realty / Renda..... Block 38, Lots 54.11, 54.12 & 54.02)	Contract Negotiations.....	“ “ “
Executive Session Minutes..... • September 17, 2012 • October 1, 2012	Attorney-Client Privilege.....	“ “ “
Ryland Developers, LLC. v..... Twp. of Readington, et al.	Attorney-Client Privilege.....	“ “ “
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:***

***Contract Negotiations / Sewer Contribution Agreement / Block 4, Lot 94***

A **MOTION** was made by Mrs. Fort to amend the Sewer Agreement for payment over a period of five (5) years with no interest, seconded by Mrs. Allen and Roll Call vote the following was recorded:

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

***Contract Negotiations / Ridge Road Realty / Renda (Block 38, Lots 54.11, 54.12 & 54.02)***

Mayor Auriemma stated that this matter was deferred.

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

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

***Attorney-Client Privilege / Executive Session Minutes / October 1, 2012***

A **MOTION** was made by Mrs. Allen to approve the Executive Session Minutes of October 1, 2012 for content only, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

***Litigation / Ryland Developers, LLC v. Twp. of Readington, et al.***

A **MOTION** was made by Mrs. Muir to authorize Attorney Dick Cushing to file a response to the plaintiff's motion, 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

***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 an additional matter was added to the Executive Session.

***Personnel / Personnel Matters***

Mayor Auriemma stated that this matter remains in Executive Session.

**BOARD OF EDUCATION “SCHOOL DISTRICT STRATEGIC PLAN”  
PRESENTATION**

Dr. Barbara Sargent, Superintendent of the Readington Board of Education, gave a presentation on the strategic planning process of the school district. Dr. Sargent outlined the main goals including 1) to develop students in the schools district who are globally aware, socially aware and able to advocate for themselves, 2) to develop a dynamic learning community empowering the teachers to be making decisions in the best interest of the students, 3) to continue to build partnerships with the surrounding communities, 4) maintain a sustainable and financially prudent budget and 5) access and monitor the goals as they move ahead with modifications as needed. Dr. Sargent highlighted how the goals will be incorporated into the individual schools and the plan to build a full day kindergarten into the system for the year 2014. Dr. Sargent stated that the strategic plan is focused on growing people and programs which makes the plan sustainable moving forward.

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 October 1, 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 48, Lot 9 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 \$159,313.08, plus a premium paid in the amount of \$101,000.00, known as Tax Sale Certificate #11-10, to the lienholder, US Bank-Cust/Sass Muni VI dtr.

- \* 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 96, Lot 22 and,

**Resolution cont'd:**

**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 \$17,844.13, plus a premium paid in the amount of \$13,200.00, known as Tax Sale Certificate #11-16, to the lienholder, US Bank, Custodian for Crestar Capital, LLC.

- \* 4. **Best Practices Checklist CY2012/SFY2013**
- \* 5. **Payment of Bills** – (Complete bill list is on file in Clerk’s Office)

<u>Fund Description</u>	<u>Fund No.</u>	<u>Received Total</u>
CURRENT FUND	2-01	\$ 666,954.61
SEWER APPROPRIATIONS	2-02	\$ 3,632.87
TRUST FUNDS	X-03	\$ 42,395.75
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 375,053.44
PAYROLL DEDUCTIONS	X-06	\$ 198,025.03
DUE TO STATE OF NJ	X-09	\$ 350.00
2010 CAPITAL	X-10	\$ 1,652.20
2012 CAPITAL	X-12	<u>\$ 412,255.29</u>
<b>TOTAL OF ALL FUNDS</b>		<b>\$1,700,319.19</b>

A **MOTION** was made by Mr. Gatti to approve the Consent Agenda, 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

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

There were none.

**PUBLIC HEARINGS**

As it was after 8:00 p.m., A **MOTION** was made by Mrs. Muir to adjourn the regular meeting to hold a Public Hearing, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Clerk read by Title:

**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 #22-2012**

Mayor Auriemma asked if there were any comments from the Governing Body.

Mrs. Allen stated that most of mortgage companies require verification of closed permits when a property is sold and that the Construction Records Clearance is merely a determination that there are no outstanding permits at the time of the closing.

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

Bob Schoenfeld, 14 Oldwick Road, requested to make a correction on the wording of *descendants* to read *decedents*. Mr. Schoenfeld also spoke against the ordinance since he felt that the ordinance penalizes responsible homeowners who have closed out permits, or those homeowners that never have taken out permits with additional fees. Mrs. Muir concurred with Mr. Schoenfeld.

Mike Kovonuk, Construction Code Official, explained the reasoning behind the purpose of the Construction Records Clearance and the associated fees.

Attorney Dragan reminded the Committee that there are other certificates, such as a smoke detector certificate, that are required for the sale of houses and Readington Township does not require a certificate of occupancy to sell a house as required by some of the other towns.

Tom Salem, Salem Industrial Park, requested clarification on some language within the ordinance.

Rob Vollers, Stowaway Self Storage, suggested clarifying the language to read *no purchaser or new tenant of the purchaser*. Attorney Dragan stated that these minor amendments could be added.

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

Mrs. Muir requested to put on record that she was very displeased with the amount of the fees.

Mike Kovonuk stated that the fees are in accordance with fees charged by other municipalities with a similar ordinance.

Clerk read by Title:

***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 #22-2012***

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

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

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

Clerk read by Title:

***AN ORDINANCE AMENDING A PORTION OF CHAPTER 112 OF THE CODE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY PERTAINING TO EMERGENCY SERVICES AGENCY MEMBERS***

***ORDINANCE # 23-2012***

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

There were none.

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

There were none.

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

Clerk read by Title:

***AN ORDINANCE AMENDING A PORTION OF CHAPTER 112 OF THE CODE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY PERTAINING TO EMERGENCY SERVICES AGENCY MEMBERS***

***ORDINANCE # 23-2012***

**A MOTION** was made by Mrs. Fort to adopt 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

***CORRESPONDENCE / OTHER INFORMATION***

1. Notice of Public Hearing from Day Pitney LLP, Attorney for Applicant Merck, Sharp & Dohme Corp. to consider ***An Application made by Merck, Sharp & Dohme Corp. Concerning Property located at 200 Halls Mill Road, Readington.*** No action taken.
2. Memorandum dated October 9, 2012 from Sharon Brienza, Municipal Clerk, Township of Branchburg regarding ***An Ordinance Amending the Land Development Ordinance of the Township of Branchburg by Replacing Section 4-10 Entitled "Outdoor Dining", in its Entirety.*** No action taken.

***NEW BUSINESS***

1. ***An Ordinance Authorizing the Acquisition of a Certain Real Property Known as Block 63, Lot 66 in the Township of Readington***

Mrs. Allen stated that during discussions on preservation of this property it was noted that it was bound on the sides by Hunterdon County Parkland on the top of Round Mountain and the other side by Readington Township property. Mrs. Allen continued that the Township applied for funding from Hunterdon County Open Space Preservation Trust Fund along with Green Acres funds.

The following ordinance was offered for introduction:

***AN ORDINANCE AUTHORIZING THE ACQUISITION OF A CERTAIN REAL PROPERTY KNOWN AS BLOCK 63, LOT 66 IN THE TOWNSHIP OF READINGTON***

***ORDINANCE #24-2012***

**WHEREAS**, there exists certain real property known as Block 63, Lot 66 on the official tax map of the Township of Readington (hereinafter the "Property") which consists of approximately 6.22 +/- acres of mature and vacant woodlands adjacent to the "Round Mountain Preserve" and other publically preserved lands in the Township, which property is owned by Catherine A. Yard (f/k/a Catherine Yard Smith); and

**Ordinance #24-2012 cont'd:**

**WHEREAS**, the Township of Readington (hereinafter "Township") has determined that there is a beneficial public interest in acquiring the Property for open space, conservation, passive recreation and/or other public purposes; and

**WHEREAS**, the Township is authorized pursuant to N.J.S.A. 40A:12-1 et seq. to acquire the Property for public purposes; and

**WHEREAS**, it is anticipated there are outside governmental funding sources available to assist the Township in purchasing the Property;

**WHEREAS**, in the interest of negotiating a timely and mutually acceptable voluntary transaction between the Township and the owner of the Property, it is and has been the policy of the Township to negotiate with the owner of the Property on the basis of fair market value; and

**WHEREAS**, the purchase shall be made subject to and in accordance with the conditions set forth in the Contract of Sale on file with the Township Clerk's Office, and any agreed-upon amendments thereto, for a negotiated price of \$13,000 per acre for or an estimated total of \$80,860.00 for the lot, subject to any adjustments as a result of an accurate survey.

**WHEREAS**, the transaction is subject to satisfactory deeds for the Property being submitted to the Township upon closing of title on the Property.

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

Section One. For the reasons set forth above, Township Committee hereby authorizes the purchase of Block 63, Lot 66 on the official tax map of the Township of Readington owned by Catherine A. Yard for a purchase price of \$13,000.00 per acre, conditioned on adoption of the funding ordinance(s) and fulfillment of the terms of the Contract and any amendments thereto. The Township is authorized to accept and record the Sellers' deed with the Office of the Hunterdon County Clerk following the closing of title on the Property.

Section Two. The Mayor and Administrator and Clerk of the Township are hereby authorized and directed to take all reasonable, necessary and lawful steps including execution of any and all necessary documents, toward the negotiated acquisition of said Property, in the manner and subject to the terms and conditions specified above, and are further authorized and directed to make the aforesaid payment to the owners of the Property.

Section Three. All ordinances or parts of ordinances deemed to be inconsistent with this Ordinance are hereby repealed.

Section Four. This Ordinance shall become effective immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

A **MOTION** was made by Mrs. Allen to introduce this ordinance, seconded by Mrs. Fort 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 November 19, 2012 at 8:00 p.m.

\* 2. **Best Practices Checklist CY2012/SFY2013**

This matter was addressed under the Consent Agenda.

***ADMINISTRATOR'S REPORT***

Administrator Mekovetz stated that she had nothing further to report.

***ATTORNEY'S REPORT***

Attorney Dragan stated that she had nothing further to report.

***COMMITTEE REPORTS***

**Thomas Auriemma**

Mayor Auriemma reported on the public meeting held by JCP&L to address the outages occurring as a result of the larger storms, in addition to the small incidental outages throughout the Township.

**Julia Allen**

Mrs. Allen reported that on Tuesday she attended a ceremony announcing New Jersey reaching the 200,000 acre mark in farmland preservation under the State Farmland Preservation Program. Mrs. Allen further reported that special recognition was given to Hunterdon County for the highest number of farms preserved overall, and Readington Township for the most farms preserved under the Municipal Planning Incentive Grant Program. Mrs. Allen stated that Readington currently has 70 preserved farms and approximately 4,750 acres of preserved farmland, thus the combined acreage including 3,700 acres of open space equates to approximately 28-29% of the land mass of Readington Township being preserved.

Mrs. Allen reported that the next Open Space Walk will take place on Round Mountain this Sunday.

**Betty Ann Fort**

Mrs. Fort reported that the Museums held an Open House at Cold Brook School and this past Saturday a Barn Dance has held.

Mrs. Fort reported that it appears there has been tremendous progress on Foothill Road to rectify some of the problems there.

**Frank Gatti**

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

**Beatrice Muir**

Mrs. Muir reported that the Board of Health meeting has been cancelled for this week.

***COMMENTS FROM THE PUBLIC***

Harold Blackstone, 12 Menlo Drive, stated that while he and his wife take walks along Pulaski, Ridge and Coddington Road they pick up trash along the way and expressed his dismay over the amount of garbage that they pick up. Mr. Blackstone requested that the Committee consider putting up "No Littering" signs to bring about awareness.

***COMMENTS FROM THE GOVERNING BODY***

As there was no further business, ***A MOTION*** was made by Mrs. Fort at 9:00 p.m. to adjourn the meeting, seconded by Mrs. Allen with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/QPA  
Municipal Clerk