

**READINGTON TOWNSHIP COMMITTEE
MEETING – May 20, 2013**

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

ALSO PRESENT: Deputy Township Clerk Karin Parker, Attorney S. Dragan

ABSENT: Administrator Mekovetz, Mrs. B. Fort

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>
Green Acres Project Agreement Amendment / Greenway Acquisition	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight...other
Community Forestry Management.... Plan	Contract Negotiations.....	“ “ “
Land Lease / VORTAC.....	Contract Negotiations.....	“ “ “
Executive Session Minutes..... • May 6, 2013	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 Mr. Gatti to adopt this resolution, seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:30 p.m.

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

Executive Session:

Contract Negotiations / Green Acres Project Agreement Amendment / Greenway Initiative Acquisition

The following resolution was offered for consideration:

#R-2013-59

***STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM ENABLING RESOLUTION***

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program ("State"), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Readington has previously obtained a loan of \$3,250,000 and/or a grant of \$6,475,000 from the State to fund the following project(s):

Greenway Initiative Acquisition, and

WHEREAS, the State and Township of Readington intends to increase Green Acres Funding; and

WHEREAS, the applicant is willing to use the State's funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

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

1. That Mayor is hereby authorized to execute an Amendment to the Agreement increasing funding to \$325,000, and;
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$325,000.
3. That, in the event the State's funds are less than the total project cost specified above, the applicant has the balance of funding necessary to complete the project, and;
4. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
5. That this resolution shall take effect immediately.

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

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

Contract Negotiations / Community Forestry Management Plan

A **MOTION** was made by Mr. Gatti to hire Forest Tree Consultants in the amount of \$3,000, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations / Land Lease / VORTAC

A **MOTION** was made by Mrs. Muir to approve the lease agreement as drafted, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Attorney-Client Privilege / Executive Session Minutes / May 6, 2013

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes of May 6, 2013 for content only, seconded by Mr. Auriemma 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 Allen stated that this matter remains in Executive Session.

Mayor Allen stated that the following item was added to the Executive Session:

Contract Negotiations / Developers Agreement / Toll Bros. (Block 36, Lot 49)

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

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

CONSENT AGENDA:

Mayor Allen 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 May 6, 2013
- * 2. **Construction Permit Fee Refund** / 13 Coddington Road (Block 38, Lot 11)
- * 3. **Construction Permit Fee Refund** / 7 Proprietor Lane (Block 45.03, Lot 28.13)
- * 4. **Postponement of Mortgage** / Denise Beattie (416 South Branch Drive)

* 5. ***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 30, Lot 10 and,

WHEREAS, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$3,174.95, plus a premium paid in the amount of \$4,000.00, known as Tax Sale Certificate #2012-007, to the lienholder, KCC Promised Lands, LLC.

* 6. ***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	\$ 4,697.15
CURRENT FUND	3-01	\$ 319,770.73
SEWER APPROPRIATIONS	3-02	\$ 42,715.50
TRUST FUNDS	X-03	\$ 31,015.21
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 25,356.15
PAYROLL DEDUCTIONS	X-06	\$ 139,231.84
2012 CAPITAL	X-12	<u>\$ 15,271.53</u>
TOTAL OF ALL FUNDS		\$ 578,058.11

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

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

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were none.

PUBLIC HEARINGS

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

Clerk read by Title:

An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank – Calendar Year 2013

◆ ***Ordinance #11-2013***

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

There were none.

Mayor Allen 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 Mr. Auriemma with a vote of ayes all, nays none recorded.

Clerk read by Title:

An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank – Calendar Year 2013

◆ Ordinance #11-2013

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

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

A MOTION was made by Mr. Auriemma to adjourn the regular meeting to open the Public Hearing, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Clerk read by Title:

An Ordinance to Provide for the Acceptance of an Easement Dedicated on a Portion of Block 36, Lot 125 for Sanitary Sewer Purposes on Oakland Drive West in the Township of Readington, County of Hunterdon and State of New Jersey from John and Patricia C. McDermott

◆ Ordinance #12-2013

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

There were none.

Mayor Allen 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. Muir with a vote of ayes all, nays none recorded.

Clerk read by Title:

An Ordinance to Provide for the Acceptance of an Easement Dedicated on a Portion of Block 36, Lot 125 for Sanitary Sewer Purposes on Oakland Drive West in the Township of Readington, County of Hunterdon and State of New Jersey from John and Patricia C. McDermott

◆ Ordinance #12-2013

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

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

CORRESPONDENCE / OTHER INFORMATION

1. Memorandum dated May 1, 2013 from Rose Sollena, Municipal Clerk, Township of Raritan regarding ***An Ordinance of the Township of Rarian, County of Hunterdon, State of New Jersey to Amend the Fence Standards under Chapter 16.64 General Guidelines and Use Regulations and More Specifically 16.64.120.*** No action taken.
2. Memorandum dated May 6, 2013 from Rose Sollena, Municipal Clerk, Township of Raritan regarding ***Resolution Opposing Jersey Central Power & Light Company Petition for a Rate Increase and Resolution Supporting Legislation Strengthening Abandoned Property Enforcement.***

Mrs. Muir requested that the Committee consider adopting the resolution to oppose the JCP&L petition for a rate increase.

The following resolution was offered for consideration:

#R-2013-60

RESOLUTION OPPOSING JERSEY CENTRAL POWER & LIGHT COMPANY PETITION FOR A RATE INCREASE

WHEREAS, Jersey Central Power & Light Company is a public utility subject to the jurisdiction of the New Jersey Board of Public Utilities and bound by the BPU's rules, regulations and policies, as well as all applicable requirements of the New Jersey Administrative Code, which specifically address electrical utilities, plants, facilities and services; and

WHEREAS, JCP&L filed a Petition with the BPU for a rate increase; and

WHEREAS, because of the burden the loss of electricity caused Township of Readington residents during Irene and Sandy, the Township Committee opposes any rate increase to JCP&L and calls upon the Division of Rate Counsel to oppose the rate increase on behalf of Township residents.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, opposes any rate increase request by JCP&L and that the Division of Rate Counsel oppose the rate increase on behalf of the Township residents; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to BPU President Robert Hanna, Board of Public Utilities Commissioners, Division of Rate Counsel, Legislators representing this Legislative District, all Hunterdon County Municipalities and the New Jersey State League of Municipalities.

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

3. Memorandum dated May 7, 2013 from Judith Sullivan, Municipal Clerk, Township of Bedminster regarding ***An Ordinance of the Township of Bedminster, County of Somerset, State of New Jersey to Amend and Supplement the Land Use Regulations of the Township of Bedminster, Specifically "Article 13" Entitled "The Land Development Ordinance of the Township of Bedminster" Establishing Solar or Photovoltaic Energy Facilities and Structures.*** No action taken.

NEW BUSINESS

1. ***Presentation “Hunterdon County 300th Anniversary”***

Marcia Karrow and Cynthia Yard, members of the Hunterdon County Tricentennial Committee, appeared before the Committee to give a presentation on the upcoming proposed plans and schedule of events for the 2014 Hunterdon County 300th Birthday Celebration including multiple lecture series, concerts, tours and various celebrations throughout the County. Ms. Karrow continued that in addition to planned activities, they are reaching out to municipalities to encourage participation in the celebration by (1) hosting their own official event indicative of that particular municipality, (2) requesting municipalities to have a presence in the March 22nd Birthday Celebration Parade, (3) provide an official liaison to work on the Tricentennial Committee, (4) distribution of calendar of events and (5) participation in the fundraiser efforts. Ms. Karrow highlighted some of the fundraising efforts including sales of commemorative items, a limited edition watercolor print of the Historic County Courthouse by Dan Campanelli, a photographic essay book *Hunterdon in my Heart* by Walter Choroszewski, , pig roasts, chili cook-offs and local wine tastings. Mrs. Yard provided a brief synopsis of the plan to tie the Tricentennial into the core curriculum of the schools and also stated that the schools are asking for a local representative to assist students through the research process.

A MOTION was made by Mr. Gatti to purchase the framed limited edition print of the Historic County Courthouse by Dan Campanelli in the amount of \$395, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

2. ***Lake Cushetunk Walkway Bridge*** – letter dated March 14, 2013 from Bob Glauber, Chairman of Lake Cushetunk Woods Buildings & Grounds Committee

Mayor Allen stated that a letter was received from the Lake Cushetunk Woods Association regarding the hazardous condition of a footbridge. Mayor Allen continued that after a site visit was done, the Director of Public Works estimated the cost of work can be accomplished with \$2000 in materials and the labor of the Department of Public Works.

A MOTION was made by Mrs. Muir to approve the repair, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

3. ***Application for Special Events Permit*** – Mane Stream Fundraiser / 14 Holland Brook Road / June 1, 2013

Mayor Allen stated that Mane Stream is hosting a *Food Truck Festival* fundraising event. Mr. Gatti expressed concern regarding the noise level since this is in a residential neighborhood and suggested setting the end time.

A MOTION was made by Mr. Gatti to approve this event contingent upon the activities ending by 10:00 p.m., seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

- * 4. ***Construction Permit Fee Refund*** / 13 Coddington Road (Block 38, Lot 11)

This matter was addressed under the Consent Agenda.

- * 5. ***Construction Permit Fee Refund*** / 7 Proprietor Lane (Block 45.03, Lot 28.13)

This matter was addressed under the Consent Agenda.

- * 6. ***Postponement of Mortgage*** / Denise Beattie (416 South Branch Drive)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Deputy Township Clerk Karin Parker stated that she had nothing further to report.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

COMMITTEE REPORTS

Julia Allen

Mayor Allen reported that the estimate on Foothill Road project was received from Engineer O'Brien and has been passed along to the Committee members.

Mayor Allen requested that the Committee consider the draft resolution expressing serious concerns about the safety and environmental impacts of the construction of the pipeline proposed by Williams Transcontinental Gas Pipeline Company along the Pleasant Run Loop.

The following resolution was offered for consideration:

#R-2013-61

RESOLUTION OF THE READINGTON TOWNSHIP COMMITTEE REGARDING THE TRANSCONTINENTAL GAS PIPELINE COMPANY'S LEIDY SOUTHEAST EXPANSION PROJECT

WHEREAS, Transcontinental Gas Pipeline Company is proposing to expand their natural gas pipeline infrastructure through Branchburg, Clinton, Montgomery, Princeton and Readington by adding a pipeline of 42 inch diameter, the Pleasant Run and Skillman Loops, to their existing pipelines; and

WHEREAS, Williams Transcontinental Gas Pipeline Company is proposing to expand the width of the right of way to accommodate the new pipeline by taking land and also using additional land as temporary construction and staging area; and

WHEREAS, the Readington Township Committee is concerned that some of the existing pipelines are over fifty years old and damage to them may occur as the new pipeline is installed next to and in some portions, underneath, the existing lines and heavy construction machinery will be used in close proximity to the existing lines. Heavy equipment will also be in close proximity to homes, foundations due to the constraints of available work space. Temporary work space usage will also severely impact the existing soil reducing water absorption and may increase future flooding possibilities; and

#R-2013-61 cont'd:

WHEREAS, the potential for a pipeline explosion could harm hundreds of people, we express grave concerns about the safety of this project in its proposed form and demand assurances that the project will be protective of the health, safety, and welfare of our citizens; and

WHEREAS, the Committee's responsibility is to provide a safe environment for its residents, and this pipeline raises serious safety concerns as described above; and

WHEREAS, the proposed project may result in a loss of tax revenue for Readington Township based on right-of-way agreements with Transco and a decline in the property values of homes along and adjacent to the new pipeline and surrounding neighborhoods as a direct result of the project; and

WHEREAS, consumer demand must be proven and environmental, public safety, and homeowner impacts resulting from the project must be studied before the Federal Energy Regulatory Commission grants Transco a Certificate of Public Convenience and Necessity; and

WHEREAS, many township residents depend on ground water for water supply, and septic systems for waste disposal and this project will impact groundwater quality and quantity and the septic fields of residents along and adjacent to the right of way; and

WHEREAS, the wise stewardship of our natural resources involves protection of our water supplies and water and other natural resources for generations to come; and

WHEREAS, protection of water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restoring degraded environments after the fact; and

NOW THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington, in Hunterdon County the following recitals are incorporated as of May 20, 2013

1. The Committee has grave concerns regarding the proposed Leidy Southeast Expansion Project Pleasant Run Loop expansion of Transco's pipeline within Readington Township.
2. Because of the significance of the impacts of a project of this size, the Committee calls on the Federal Energy Regulatory Commission to hold a minimum of one scoping hearing per loop in New Jersey, preferably two.
3. In order to insure adequate and productive communication between the Transcontinental Gas Pipeline Company and all stakeholders that will be effected by the proposed construction of the Pleasant Run Loop through Readington Township, the Readington Township Committee respectively requests that the Company hold at least one, and possibly two, additional public meetings in which public discussion which will include a question and answer session that takes place in a public meeting structure. By that it is meant that both Company representatives and all attendees will be able to hear individual questions asked and answered in a public forum.
4. The Readington Township Committee respectively requests that the meetings above be advertised by the Company at least two (2) weeks in advance of the meetings by individual direct mail to each of the effected landowners and stakeholders. In addition the Committee requests that all available information including maps and published handouts regarding to proposed project be made available for inspection to all attendees at these meetings, and that the meetings be held in a convenient location in Readington Township and are scheduled as soon as is practical for the Company.

#R-2013-61 cont'd:

5. The Readington Township Committee also requests information prior to the proposed scoping meetings, to review beforehand, from Transco regarding the proposed compensation to effected landowners. The Committee would also ask for information regarding the effect of the proposed project on property values, tax revenues and the quality of life for Readington residents.

This resolution shall also be distributed to:

1. Senator Christopher (Kip) Bateman
2. State Assemblyman Jack Ciattarelli
3. State Assemblywoman Donna Simon
4. Congressman Leonard Lance
5. Douglas Sipe, The Federal Energy Regulatory Commission
6. Food and Water Watch, 100 Bayard Street, Suite 310, New Brunswick, NJ 08901
7. New Jersey Sierra Club, 145 Hanover Street, Trenton, NJ 08618
8. The Municipalities of Branchburg, Clinton Township, Princeton and Montgomery.

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

Mayor Allen reported that she attended the Open House of the JCP&L facility in Morristown and returned with some literature which she suggested putting on the website. Mr. Gatti asked about the possibility of linking directly to the JCP&L website.

Tom Auriemma

Mr. Auriemma reported that the Memorial Day Parade will begin next Monday at 10:30 a.m.

Frank Gatti

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

Beatrice Muir

Mrs. Muir reported that there is a three bedroom unit in Lake Cushetunk that has a contract pending and there are four (4) moderate units available in Lake Cushetunk and one (1) in Whitehouse Village.

Mrs. Muir updated the Committee on the Construction Code report.

COMMENTS FROM THE PUBLIC

Neil Fant, Woodschurch Road, commented that when the Department of Public Works puts down gravel and dirt, it generates a tremendous amount of dust and requested that if possible, where the road is already extremely hard and smooth, to not churn up the road or put down any additional gravel and dirt. It was suggested to begin the grading further down since there are no potholes at the beginning of the road.

COMMENTS FROM THE GOVERNING BODY

Mrs. Allen commented that she received a copy of a resolution requesting consideration for adoption.

The following resolution was offered for consideration:

#R-2013-62

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Relay for Life is the signature activity of the American Cancer Society and celebrates cancer survivors and caregivers, remembers loved ones lost to the disease, and empowers individuals and communities to come together to recognize and fight back against cancer; and

WHEREAS, the funds raised during Relay for Life of Hunterdon supports the American Cancer Society's mission of saving lives and creating a world with less cancer and more birthdays – by helping our citizens stay well, by helping our citizens receive the best treatment for cancer, by supporting the search for cures for cancer; and

WHEREAS, Relay for Life helped fund more than \$150 million in cancer research last year;

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, do hereby proclaim June 14th and 15th of 2013 as,

“RELAY FOR LIFE OF HUNTERDON COUNTY DAYS”

in our community and hereby encourage our citizens to participate in the Relay for Life event at Hunterdon Central High School on June 14th to 15th, 2013.

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

As there was no further business, **A MOTION** was made by Mr. Gatti at 9:05 p.m. to adjourn the meeting, seconded by Mr. Auriemma with vote of ayes all, nays none recorded.

Respectfully Submitted:

Karin M. Parker, RMC
Deputy Township Clerk