

**READINGTON TOWNSHIP COMMITTEE
MEETING – October 21, 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, Mrs. B. Fort, Mr. F. Gatti

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:

- 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>
Police Department.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will remain confidential
Public Works Department.....	Personnel.....	“ “ “
Lieutenants / PBA Local No. 317	Contract Negotiations.....	“ “ “
Transco Pipeline Reimbursement.... Agreement	Contract Negotiations.....	“ “ “
Award of Solid Waste & Recyclable Materials Collection / Hauling / Disposal	Contract Negotiations.....	“ “ “
Executive Session Minutes..... • October 7, 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.....	“ “ “
Ryland Developers, LLC.....	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. Fort to adopt this resolution, seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:50 p.m.

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

Executive Session:

Personnel / Police Department

A **MOTION** was made by Mr. Auriemma to hire James Colline as a Probationary Patrolman at a salary of \$56,742, effective October 22, 2013, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Personnel / Public Works Department

A **MOTION** was made by Mrs. Muir to accept the retirement of Bradford Hunt, effective November 1, 2013 and send him a letter of thanks for his service, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

A **MOTION** was made by Mrs. Muir to advertise for the replacement of Bradford Hunt, seconded by Mrs. Fort with a vote of ayes all, nays none recorded.

Contract Negotiations / Lieutenants / PBA Local No. 317

Mayor Allen stated that this matter remains in Executive Session.

Contract Negotiations / Transco Pipeline Reimbursement Agreement

Mayor Allen stated that this matter remains in Executive Session.

Contract Negotiations / Award of Solid Waste & Recyclable Materials Collection / Hauling / Disposal Service

Mayor Allen stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / October 7, 2013

A **MOTION** was made by Mrs. Fort to approve the Executive Session Minutes of October 7, 2013 for content only, seconded by Mrs. Muir 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

The following resolution was offered for consideration:

#R-2013-97

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, there exists a need in the Township of Readington for Professional Services; and

WHEREAS, the Local Public Contract Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services without competitive bids must be publicly advertised.

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*).

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

1. That the following contract has been awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1) (a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:
 - GRA, Incorporated to represent the Township as Economic Counsel to the Transportation Industry at a cost not too exceed \$5,000.00
2. Said contract shall expire on October 23, 2014.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution shall take effect immediately.

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

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

Litigation / Ryland Land Developers, LLC

Mayor Allen stated that this matter remains in Executive Session.

Mayor Allen requested to amend the *Executive Session* agenda to add the following:

Personnel / Electrical Subcode Official

A MOTION was made by Mr. Gatti to hire Robert MacMaster from part time to full time as the Electrical Subcode Official at his current salary rate, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mrs. Fort	- 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 October 7, 2013
- * 2. **Best Practices Checklist CY 2013/SFY2014**
- * 3. **Authorization of Review Fee for Flood Hazard Area Verification Application** (Oakland Drive West Pump Station, Block 36 / Lot 125) \$500
- * 4. **Lien Redemption** (Block 93, Lot 38)

The following resolution was offered for consideration:

READINGTON TOWNSHIP

RESOLUTION

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 93, Lot 38 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 \$28,103.82, plus a premium paid in the amount of \$13,000.00, known as Tax Sale Certificate #11-15, to the lienholder, US Bank – Custodian for Pro Capital I, LLC.

- * 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	3-01	\$ 377,987.53
SEWER APPROPRIATIONS	3-02	\$ 2,218.82
TRUST FUNDS	X-03	\$ 9,633.33
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 71,347.62
PAYROLL DEDUCTIONS	X-06	\$ 135,144.43
TOTAL OF ALL FUNDS		\$ 596,331.73

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:

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

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were none.

CORRESPONDENCE / OTHER INFORMATION

1. Notice of Public Hearings from Brian MacLean, VP of Operations, Pivotal Utility Holdings, Inc. d/b/a/ Elizabethtown Gas for the following:
 - *Petition for Approval of the Elizabethtown Natural Gas Distribution Utility Reinforcement Effort Program and Deferred Accounting Treatment*
 - *Petition to Revise the Remediation Adjustment Clause Component of its Societal Benefits Charge Rate*
 - *Petition to (1) Revise its Weather Normalization Clause Rate (2) Revise the Clean Energy Program Component of its Societal Benefits Charge Rate and (3) Revise its on-System Margin Sharing Credit*No action taken.
2. Memorandum dated October 9, 2013 from Roberta Brassard, Municipal Clerk, Township of Tewksbury regarding *An Ordinance of the Township of Tewksbury, County of Hunterdon, State of New Jersey, to Amend Article VII, Section 701 of Tewksbury Township Development Regulations Ordinance and to Supplement and Revise Ordinance No. 03-2013 which, among other things, Revised Certain Bulk Requirements in the VR Village Residential District; Established New Zone District Known as the R-1 Village Residential – 1 District; and Amended Article IX Section 900.* No action taken.
3. Letter from Lou Cattuna, Supervisor, Division of Land Use Regulation, Department of Environmental Protection regarding *Freshwater Wetlands Letter of Interpretation: Line Verification, Pleasant Run LLC, Block 75, Lot 19.* (Entire File Available in Clerk's Office) No action taken.
4. Memorandum dated October 15, 2013 from Sharon Brienza, Municipal Clerk, Township of Branchburg regarding *An Ordinance Amending the Land Development Ordinance of the Township of Branchburg by Amending Subsection 3-3.1 Entitled "Zones Established" and Deleting Section 3-4 Entitled "A Agricultural/3 Acre Residential District" in its Entirety.* No action taken.

Mayor Allen requested to amend the agenda to add two items (Item #4 and #5) to *New Business*.

NEW BUSINESS

1. **Request for Banner Approval** – email dated October 6, 2013 from Robert Nonni to place banners to advertise "*12 Angry Men*" from November 1st through approximately November 18th

Mayor Allen stated that this request is to place two ground banners, 1) on the corner of Route 523 and Kline Boulevard and the 2) on the island at the intersection of Routes 523 and 22. Administrator Mekovetz noted that since the island at the intersection of Routes 523 and 22 is actually state property, the Committee does not have the authority to grant approval at that location. Mr. Auriemma stated that this has been discussed with Mr. Nonni. Mrs. Muir advised the Committee that with the approval, they should be reminded to remove the sign and also adhere to the setback requirements regarding signage.

A MOTION was made by Mrs. Muir to approve placing the banner at the corner of Route 523 and Kline Boulevard with the stipulation that the setback requirements for signage are followed and the banner is removed directly after the event, seconded by Mrs. Auriemma with a vote of ayes all, nays none recorded.

* 2. ***Best Practices Checklist CY 2013/SFY2014***

This matter was addressed under the Consent Agenda.

* 3. ***Authorization of Review Fee for Flood Hazard Area Verification Application***
(Oakland Drive West Pump Station, Block 36 / Lot 125) \$500

This matter was addressed under the Consent Agenda.

4. ***Resolution Authorizing Filing a Motion with FERC to Intervene in the Transcontinental Gas Pipeline Company, LLC application involving the Leidy Southeast Expansion Project***

The following resolution was offered for consideration:

#R-2013-96

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, Transcontinental Gas Pipeline Company, LLC has filed an application with the Federal Energy Regulatory Commission (“FERC”) for the Leidy Southeast Expansion Project (see Docket No. PF13-5-000); and

WHEREAS, the improvements proposed to the existing pipeline involve a 6.92 mile natural gas pipeline extension through the environmentally sensitive Pleasant Run Loop; and

WHEREAS, the Township of Readington wishes to continue to participate in the process of commenting upon the pipeline expansion project and, therefore wishes to be recognized as an intervener before FERC.

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

1. Readington Township is hereby authorized and directed to file a motion with FERC to intervene in the above referenced Transcontinental Gas Pipeline Company, LLC application involving the Leidy Southeast Expansion Project.

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

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

5. ***An Ordinance Authorizing Acquisition of Certain Property in the Township of Readington***

The following ordinance was offered for introduction:

**ORDINANCE AUTHORIZING ACQUISITION OF CERTAIN PROPERTY
IN THE TOWNSHIP OF READINGTON
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, 8; Block 67, Lot 2**

Ordinance #20-2013

WHEREAS, the Township of Readington (“Township”) has evaluated the advisability of municipal acquisition of certain real property known and designated as Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6, 8; Block 67, Lot 2 as shown on the official Tax Map of the Township and consisting of approximately 726 acres of land, and the improvements and fixtures thereon (collectively, the “Property”); and

WHEREAS, the Township has determined that the public interest will be served by acquisition of the entirety of the Property for public use and purposes, including, without limitation, open space and farmland preservation; land for recreational uses, conservation of natural resources, wetlands protection, water quality protection, preservation of critical wildlife habitat, historic preservation, airport preservation and operation, and preservation of community character; and

WHEREAS, the Township has determined that the unique and interrelated attributes of the Property requires acquisition of the entirety of the Property to accomplish the manifold public purposes aforesaid; and

WHEREAS, the Township Master Plan, Parks, Recreation & Open Space and Circulation Elements recommend acquisition of the above referenced parcels as priority parcels to be acquired for the reasons described therein; and

WHEREAS, the subject parcels have been designated within a Natural Heritage Priority Site by the New Jersey Department of Environmental Protection; and

WHEREAS, the subject parcels have been designated a priority preservation area in both local and state open space and farmland preservation planning; and

WHEREAS, the Township is authorized pursuant to numerous State statutes to acquire the parcels or interest therein aforesaid for the manifold public purposes hereinbefore described; and

WHEREAS, the Township has determined that it may acquire the Property through condemnation pursuant to the Eminent Domain Act; and

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

1. The Township be and is authorized to undertake and continue efforts to acquire for public use, by condemnation or other means pursuant to the Eminent Domain Act, *N.J.S.A. 20:3-1 et seq.*, a fee simple title to the Property which is known and designated as Block 48 Lot 23; Block 55, Lot 33; Block 56 Lots 1, 3, 6, 8; Block 67, Lot 2, and in connection therewith to do such acts as required by law necessary for the acquisition aforesaid. The Township hereby ratifies and endorses all actions undertaken to date for this purpose.
2. Counsel for the Township be and is authorized and directed to take all such steps as may be advisable or required pursuant to law for the purpose of the acquisitions aforesaid, including without limitation, the completion of preliminary assessments, surveys and appraisal(s) and the making of an offer of compensation to the owner of the subject parcels in an amount not less than the amount of such appraisal(s), if required to do so, and the undertaking, filing, maintaining, continuing and amending of such actions as may be necessary to accomplish the purposes hereof, including such actions to be undertaken after acquisition of the Property in furtherance of such purposes.
3. The Township Committee has reviewed those revisions to the appraisal reports previously issued on behalf of the Township, by way of letters dated October 17, 2013 by Richard E. Polton, MAI and October 18, 2013 by Jon P. Brody, MAI, accepts same, and hereby authorizes their use and reliance in such actions authorized under Paragraph 2 above.

Ordinance #20-2013 cont'd:

4. This Ordinance shall take effect immediately upon final passage, adoption and publication according to law.

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

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

The Public Hearing was scheduled for November 4, 2013 at 7:45 p.m.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported that East Whitehouse Fire Company will be celebrating their 90th Anniversary and requested that the Committee consider passing a resolution in honor of their anniversary.

The following resolution was offered for consideration:

#R-2013-96

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, in December of 1923 the East Whitehouse Fire Department, first known as Whitehouse Chemical Company, was organized; and

WHEREAS, in April of 1924 the East Whitehouse Fire Department was incorporated; and

WHEREAS, the firehouse was originally a blacksmith shop owned by a Mr. Sharky in the late 1920 and early 1930s; and

WHEREAS, musical acts with a piano player were performed on stage in the original hall for the public; and

WHEREAS, the Whitehouse Methodist Church housed the fire truck for the years prior to the building being converted to a two engine bay; and

WHEREAS, in the early years the church would ring the church bell to alert the fireman and community of a fire; and

WHEREAS, the fire department held its first bingo game in 1955; and

WHEREAS, the larger engine bay and 2nd floor hall were added to the original building and dedicated in 1973; and

WHEREAS, dances, dinners and banquets were held for various community organizations were held after the addition of the second floor social hall; and

WHEREAS, over the years, in addition to serving as a community firehouse, East Whitehouse Fire Department sponsored Little League and Boy Scout Troop pinewood derbies, hosted blue and gold banquets along with hosting various club events; and

NOW THEREFORE BE IT RESOLVED that on behalf of all the residents of Readington Township, the Township Committee thanks the East Whitehouse Fire Department for its many contributions to our Community.

Resolution #2013-96 cont'd:

BE IT FURTHER RESOLVED, that the Township Committee of the Township of Readington congratulates and commends the East Whitehouse Fire Department on its 90th Anniversary.

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

Administrator Mekovetz reported that she attended the Blue Mass, hosted by the Readington Township Police Department, honoring those who serve in law enforcement last Wednesday.

Administrator Mekovetz reported that the Township was advised that they had received a Hazard Mitigation Grant in the amount \$246,680 which will be used for generators for the fire companies and rescue squad and also for generators for our sewer pumping station.

Administrator Mekovetz also reported that she received a call from the Department of Transportation announcing that a section of Main Street near the railroad station will be closed for a few days in early November due to repairs. Administrator Mekovetz continued that she is coordinating an effort to meet with the Police Department, Emergency Services along with the high school and Readington Board of Education next Tuesday regarding a detour plan.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

COMMITTEE REPORTS

Julia Allen

Mayor Allen stated that she had nothing further to report.

Thomas Auriemma

Mr. Auriemma reported that East Whitehouse Fire Department thanked the Committee for allowing them to hold their coin toss last week.

Betty Ann Fort

Mrs. Fort stated that she had nothing further to report.

Frank Gatti

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

Beatrice Muir

Mrs. Muir reported there was a higher than usual turnout at the October Rabies Clinic.

COMMENTS FROM THE PUBLIC

Kevin Devine, South Branch Drive, asked if the Township would be reimbursed for the police to detour the traffic when Main Street will be closed for repairs to the railroad.

COMMENTS FROM THE GOVERNING BODY

Mayor Allen commented that there was a power outage in Readington yesterday afternoon caused by a transformer in the Neshanic substation. Mayor Allen further stated that the information from JCP&L was pretty good and they also communicated an accurate estimate of the time when the power would be restored.

Mayor Allen stated that on October 15th she and Mrs. Fort attended a meeting at Senator Bateman's office along with Mayors in the 16th District to meet with James Fakult, the new president of JCP&L. Mayor Allen urged all homeowners that when they are experiencing a power outage they should call it into JCP&L, even if a neighboring resident has already called it in.

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

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/QPA
Municipal Clerk