

**READINGTON TOWNSHIP COMMITTEE
MEETING – December 1, 2014**

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, Mr. T. Auriemma, Mrs. B. Fort, Mr. F. Gatti

ALSO PRESENT: Administrator V. 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

<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 the Township Committee tonight...other information will remain confidential
Township Committee.....	Personnel.....	“ “ “
Professional Services / Animal Control	Contract Negotiations.....	“ “ “
Peter & Grace Reno..... (Block 66, Lot 53)	Contract Negotiations.....	“ “ “
Lorenzen (Block 44, Lot 4.02).....	Contract Negotiations.....	“ “ “
Affordable Housing Deed Restriction.. (Block 36, Lot 48)	Contract Negotiations.....	“ “ “
Cell Tower (Block 25, Lot 35.01).....	Contract Negotiations.....	“ “ “
Executive Session Minutes.....	Attorney-Client Privilege.....	“ “ “
<ul style="list-style-type: none"> • November 3, 2014 • November 17, 2014 		

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 Mr. Gatti with a vote of ayes all, nays none recorded.

The meeting reconvened at 8:15 p.m.

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

Executive Session:

Personnel / Police Department

A **MOTION** was made by Mr. Gatti to accept the resignation of Patrolman James Colline, effective November 10, 2014 and send him a letter of thanks for his service, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

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

A **MOTION** was made by Mr. Gatti to hire Jason Phares as a Probationary Patrolman at the rate of \$58,302 per year effective December 15, 2014, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Personnel / Township Committee

A **MOTION** was made by Mrs. Fort to accept the resignation of Beatrice Muir from the Township Committee effective November 19, 2014, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Contract Negotiations / Professional Services / Animal Control

The following resolution was offered for consideration:

#R-2014-108

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
ANIMAL CONTROL SERVICES**

WHEREAS, the Township of Readington has a need to acquire Animal Control 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 \$17,500.00; and

WHEREAS, Animal Control Solutions has submitted a proposal indicating they will provide Animal Control Services at an annual rate of \$24,960.00; and

WHEREAS, Animal Control Solutions has completed and submitted a Business Entity Disclosure Certification which certifies that Animal Control Solutions 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 Animal Control Solutions 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 2015 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 Animal Control Solutions 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, 2015; and

BE IT FURTHER RESOLVED, that copies of this Professional Service 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 Mrs. Fort to adopt this resolution, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Contract Negotiations / Peter & Grace Reno (Block 66, Lot 53)

Mrs. Allen recused herself from this matter.

A **MOTION** was made by Mr. Auriemma to approve the contract in the amount of \$38,000 funded through the Transco diversion process, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Auriemma -Aye
Mrs. Fort - Aye
Mr. Gatti - Aye

The following ordinance was offered for introduction:

***AN ORDINANCE AUTHORIZING THE ACQUISITION OF
CERTAIN REAL PROPERTY KNOWN AS BLOCK 66, LOT 53 IN THE TOWNSHIP OF
READINGTON FROM RENO***

ORDINANCE #23-2014

WHEREAS, there exists certain real property known as Block 66, Lot 53 on the official tax map of the Township of Readington (hereinafter the “Property”) consisting of approximately 5 +/- acres of mature and vacant woodlands , owned by Peter and Grace Reno, which is adjacent to other publically preserved lands owned by the Township of Readington (hereinafter “Township”); and

WHEREAS, the 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, funding for this purchase is anticipated to come from Transcontinental Gas Pipeline Co., LLC (“Transco”) which is obligated to compensate the Township as a result of Township and NJ Green Acres-preserved lands that Transco is taking as part of it pipeline project; and

WHEREAS, the Township recognizes that it is obligated to use such compensation for the acquisition of replacement properties, and this purchase is intended for that purpose; and

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 \$ 38,000.00 for the lot, subject to any adjustments, if necessary, as a result of an accurate survey.

WHEREAS, the transaction is subject to a satisfactory deed for the Property being submitted to the Township at closing of title on the Property.

NOW THEREFORE, 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 66, Lot 53 on the official tax map of the Township of Readington owned by Peter Reno and Grace Reno for a purchase price of \$38,000.00, conditioned on the receipt of funding from Transco and/or the adoption of any necessary 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, Deputy Mayor and Administrator /Clerk of the Township and Township Attorney 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.

Ordinance #23-2014 cont'd:

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 Mr. Auriemma to introduce this ordinance, seconded by Mrs. Fort and on Roll Call vote the following was recorded:

Mr. Auriemma	-Aye
Mrs. Fort	- Aye
Mr. Gatti	- Aye

The Public Hearing was scheduled for December 15, 2014 at 7:45 p.m.

Contract Negotiations / Lorenzen (Block 44, Lot 4.02)

A ***MOTION*** was made by Mr. Gatti to approve the contract for 29+/- acres at \$14,000 per acre funded through the Transco diversion process, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

The following ordinance was offered for introduction:

***AN ORDINANCE AUTHORIZING THE ACQUISITION OF
CERTAIN REAL PROPERTY KNOWN AS A PORTION OF BLOCK 44, LOT 4.02 IN THE
TOWNSHIP OF READINGTON FROM LORENZEN***

ORDINANCE #24-2014

WHEREAS, there exists certain real property known as Block 44, Lot 4.02 on the official tax map of the Township of Readington consisting of approximately 49 +/- acres containing mature woodlands, owned by Fred and Adrienne Lorenzen, which is adjacent to other publically preserved lands owned by the State of New Jersey; and

WHEREAS, the Township of Readington (hereinafter the "Township") has determined that there is a beneficial public interest in acquiring a 29+/- acre portion of Block 44, Lot 4.02 consisting of vacant land adjacent to State-owned land (hereinafter the "Property), after division, 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, funding for this purchase is anticipated to come from Transcontinental Gas Pipeline Co., LLC ("Transco") which is obligated to compensate the Township as a result of Township and NJ Green Acres-preserved lands that Transco is taking as part of it pipeline project; and

WHEREAS, the Township recognizes that it is obligated to use such compensation for the acquisition of replacement properties, and this purchase is intended for that purpose; and

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

Ordinance #24-2014 cont'd:

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 \$ 14,000 per acre (estimated total price of \$406,000), but subject to any adjustments as a result of an accurate survey.

WHEREAS, the transaction is subject to a satisfactory deed for the Property being submitted to the Township at closing of title on the Property.

NOW THEREFORE, 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 a 29+/- acre portion of Block 44, Lot 4.02 on the official tax map of the Township of Readington owned by Fred and Adrienne Lorenzen for a purchase price of \$14,000 per acre (estimated total of \$406,000.00), conditioned on the successful subdivision of Block 44, Lot 4.02, the receipt of funding from Transco and/or the adoption of any necessary funding ordinance(s), and the 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, Deputy Mayor, Administrator/ Clerk of the Township and Township Attorney 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 to introduce this ordinance, seconded by and on Roll Call vote the following was recorded:

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

The Public Hearing was scheduled for December 15, 2014 at 7:45 p.m.

Contract Negotiations / Affordable Housing Deed Restriction (Block 36, Lot 48)

A MOTION was made by Mrs. Fort to approve the amendment to the Administration Agreement, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

A MOTION was made by Mrs. Fort to approve the language for the Affordable Housing Deed Restriction, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Contract Negotiations / Cell Tower (Block 25, Lot 35.01)

Mayor Allen stated this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / November 3, 2014

A **MOTION** was made by Mrs. Fort to approve the Executive Session Minutes of November 3, 2014 for content only, seconded by Mr. Gatti with a vote of ayes all, nays none recorded. Mayor Allen abstained since she was not present at that meeting.

Attorney-Client Privilege / Executive Session Minutes / November 17, 2014

A **MOTION** was made by Mrs. Fort to approve the Executive Session Minutes of November 17, 2014 for content only, seconded by Mr. Gatti 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 was not addressed.

Litigations / Ryland Developers, LLC

Mayor Allen stated that this matter remains in Executive Session.

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 November 3, 2014 and November 17, 2014
- * 2. **Tax Lien Overpayment**

The following resolution was offered for consideration:

READINGTON TOWNSHIP

HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, a payment by a mortgage company for a property that is owned by a 100% disabled veteran has resulted in an overpayment for the 1st Quarter 2014 taxes, and

WHEREAS, the Tax Collector has recommended the following refund:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO</u>	<u>AMOUNT</u>
66	49.09	Huntington Mortgage	\$3,641.17

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, that the Treasurer be authorized to refund the amount recommended.

* 3. ***Tax Lien Redemption (Block 21.06, Lot 501.03)***

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 21.06, Lot 501.03 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 \$845.01, plus a premium paid in the amount of \$1,300.00, known as Tax Sale Certificate #2014-004, to the lienholder, FWDSL & Associates, LP.

* 4. ***Tax Lien Redemption (Block 63, Lot 9)***

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 63, 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 \$226,745.96, plus a premium paid in the amount of \$18,000.00, known as Tax Sale Certificate #617, to the lienholder, Tad J. Dabrowski.

* 5. ***Resolution Awarding Contract for Purchase of Rock Salt for 2014-15 Season***

The following resolution was offered for consideration:

#R-2014-109
TOWNSHIP OF READINGTON
RESOLUTION

WHEREAS, pursuant to *N.J.S.A. 40A:11-10 et seq.*, Readington Township authorized a joint agreement with the County of Hunterdon on July 15, 2013; and

WHEREAS, the Hunterdon County Board of Chosen Freeholders, in accordance with this agreement, has awarded the bid for rock salt to Atlantic Salt at a price of \$68.00 per ton, not to exceed \$177,000 ; and

WHEREAS, pursuant to *N.J.S.A. 5:34-5* the Governing Body is required to award this contract.

Resolution #R-2014-109 cont'd:

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington does hereby award the contract for the purchase of rock salt for the 2014/2015 season (October 1, 2014 to October 20, 2015) to Atlantic Salt at a price of \$68.00 per ton.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be sent to the County of Hunterdon Purchasing Department.

- * 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	4-01	\$ 581,831.10
SEWER APPROPRIATIONS	4-02	\$ 147,953.70
TRUST FUNDS	X-03	\$ 120,339.65
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 324,780.18
PAYROLL DEDUCTIONS	X-06	\$ 153,709.68
REG & LOCAL SCHOOL TAX	X-07	\$2,417,949.00
CAPITAL	X-11	\$ 262.00
CAPITAL	X-14	<u>\$ 80.36</u>
TOTAL OF ALL FUNDS		\$3,746,905.67

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

- Mr. Auriemma - Aye
- Mrs. Fort - Aye
- Mr. Gatti - Aye
- Mayor Allen - Aye (*Mayor Allen abstained from the 11/03/14 minutes since she was not present*)

COMMENTS FROM THE PUBLIC for items listed on the agenda only

Sam Tropello questioned whether the ownership of the Reno property will be considered green acres open space.

Sam Tropello commented on the impending discussions of the cell tower.

Sam Tropello commented that it is his hope that when the replacement on the Township Committee is being considered that it will follow sentiment of the voters to move in the direction of those elected at the last election.

Kevin Devine asked about the responsibility of the affordable housing units on the Farm property in the event the builder goes bankrupt or the units are not rented. Mr. Devine suggested at a future meeting to have someone explain the Council on Affordable Housing plan.

PUBLIC HEARINGS

As it was after 7:45 p.m., A **MOTION** was made by Mr. Auriemma to adjourn the regular meeting to hold a 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 CERTAIN EASEMENTS DEDICATED ON A PORTION OF BLOCK 36, LOT 49 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM TOLL NJ I, L.L.C.

ORDINANCE # 22-2014

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. Fort with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN EASEMENTS DEDICATED ON A PORTION OF BLOCK 36, LOT 49 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM TOLL NJ I, L.L.C.

ORDINANCE # 22-2014

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

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

CORRESPONDENCE / OTHER INFORMATION

1. Letter dated November 17, 2014 from Sally Cheong, Manager, Tariff Activity, Rates & Regulatory Affairs, NJ, JCP&L regarding ***Notice of Proposed Increase in Non-Utility Generation Charge and Notice of Public Hearings JCP&L BPU Docket No. ER14101262.*** No action taken.
2. Notice of Public Hearing from Henry Kent Smith, Attorney for Applicant, Fox Rothschild LLP regarding ***Advance / GLB Development Partners, LLC requesting use variance approval to permit the modification and amendment to a prior use variance approval, in order to permit a change in the previously approved residential product type from four (4) multistory buildings with flats to an attached townhome product.*** No action taken.
3. Memorandum dated November 18, 2014 from Rose Sollena, Municipal Clerk, Township of Raritan regarding ***An Ordinance Adopting a “Redevelopment Plan” for a Non-Condemnation Area in Need of Redevelopment including Block 16.01/Lots 37.01 and 54 as shown on the Township of Raritan Tax Map 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 reference to Existing Section 16.22.010, “Establishing of Zones”, to Existing Section 16.22.020. “Zoning Map”, and Section 16.24N Providing for an Affordable Rental Housing Overlay Zone containing Block 16.01/Lots 37.01 and 54.*** No action taken.

OLD BUSINESS

1. ***ECHO Unit*** (Block 42, Lot 1)

Mayor Allen stated that more information is required from Attorney Dragan and recommended that this matter be deferred.

NEW BUSINESS

1. ***An Ordinance to Provide for the Acceptance of an Affordable Housing Restriction on a Portion of Block 36, Lot 48 in the Township of Readington from the Farm Property, LLC***

Mayor Allen stated that this relates to the fifteen rental units above the retail of the Farm property and provides for the acceptance of the restrictions.

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF AN AFFORDABLE HOUSING RESTRICTION ON A PORTION OF BLOCK 36, LOT 48 IN THE TOWNSHIP OF READINGTON FROM THE FARM PROPERTY, LLC

ORDINANCE #25-2014

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 accept, for the purposes of providing affordable housing in accordance with its affordable housing and fair share plan filed with COAH, a deed restriction on property known as Block 36, Lot 48 in the Township of Readington and owned by The Farm Property, LLC. The property to be deed-restricted for these purposes consists of fifteen (15) low, very low and / or moderate income residential rental units on the aforesaid property, as more particularly set forth in the proposed Deed Restriction from The Farm Property, LLC. 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 . On behalf of the Township Committee, the Mayor, Deputy Mayor, Municipal Housing Liaison /Administrative Agent and /or Township Administrator /Clerk authorized to accept and execute the aforementioned Deed Restriction and any other documents necessary to effectuate same.

SECTION 3. This Ordinance is made pursuant to N.J.S.A. 40A:12-1, 12-4 and 12-5, et seq., and any other applicable law. 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 4. This ordinance shall take effect immediately upon final adoption and publication according to law, and upon the recording of the Deed Restriction; a copy of this Ordinance shall also be recorded in the Hunterdon County Clerk's office.

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

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

The Public Hearing was scheduled for December 15, 2014 at 7:45 p.m.

* 2. ***Resolution Awarding Contract for Purchase of Rock Salt for 2014-15 Season***

This matter was addressed under the Consent Agenda.

3. ***AN ORDINANCE AMENDING CHAPTER 148 OF THE LAND USE ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY PERTAINING TO SC-4 OVERLAY ZONE***

Mayor Allen stated that this matter has been deferred.

4. ***AN ORDINANCE SUPPLEMENTING AND AMENDING VOLUME II CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON, 2000 AS HERETOFORE SUPPLEMENTED AND AMENDED***

Mayor Allen stated that this ordinance pertains to the floor area ratio for the Village Hospitality Zone, which includes the Ryland Inn property and also the property to the west of the Ryland Inn and behind. Mayor Allen continued that it has been suggested by the Township Planner to adjust the floor area ratio in order to make it relevant to the building requirement.

The following ordinance was offered for introduction:

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON LAND USE VOLUME, AS IT PERTAINS TO THE VH VILLAGE HOSPITALITY ZONE

ORDINANCE #26-2014

BE IT ORDAINED, by the Mayor and Township Committee of the Township of Readington in the County of Hunterdon, State of New Jersey that the following amendments shall be made to Chapter 148 of the Land Use Ordinance of the Township of Readington pertaining to the “VH Village Hospitality Zone” for the purpose of permitting more flexibility and opportunities for the development of hospitality uses while preserving the historic character of the inn and respecting adjacent residential areas through increasing the maximum permitted floor area ration and impervious cover as follows (Additions are indicated thus and deletions are indicated ~~thus~~):

SECTION 1. Article IV “District Regulations”, §148-22.2 entitled “VH Village Hospitality Zone.”, is hereby amended as follows:

Sec. 148-22.2 VH – Village Hospitality Zone.

A. Principal permitted uses – VH Zone:

- (1) Hotels
- (2) Restaurants
- (3) Spa/salon facilities
- (4) Conference Centers/ Conference Inns
- (5) Public and private open space and parks.
- (6) Multiple uses shall be permitted on one lot.

Ordinance #26-2014 cont'd:

B. Accessory uses – VH Zone.

- (1) Public and private parking facilities
- (2) Fences and walls as regulated in Article VI.
- (3) Signs as regulated in Article XII.
- (4) Childcare centers
- (5) Integrated solar energy facilities as regulated in 148-60.2
- (6) Accessory solar energy facilities as regulated in 148-60.2
- (7) Other uses and structures customarily incidental to a principal permitted use.

C. Prohibited Uses – VH Zone.

- (1) Retail sale of goods not related to a principally permitted use.
- (2) All uses not specifically permitted.

D. Regulations for development – VH Zone.

- (1) Intent. The intent of the VH District is to preserve the gateway to Whitehouse Village by preserving the landscape and buildings associated with the historic Ryland Inn complex. As such, the regulations contain incentives to encourage the re-utilization of the existing Ryland Inn complex.
- (2) Minimum lot size: 10 acres.
- (3) Minimum lot width: 500 feet.
- (4) Building requirements:
 - (a) Maximum Floor Area Ratio: ~~8% 0.05, except 0.10 if reusing the existing Ryland inn building.~~
 - ~~(i) If reusing the existing Ryland Inn building, the floor area of the existing Ryland Inn building, as well as the other existing buildings within the overall building complex, shall not be counted towards the total floor area ratio for the tract.~~
 - (b) Maximum Impervious Cover: ~~35% 20%, except 35% if reusing the existing Ryland Inn building.~~
 - (c) Maximum Building Height: 2 stories/35 feet, except 3 stories/45 feet for a hotel use.
- (5) Required building setbacks:
 - (a) Minimum front yard setback: 300 feet from Route 22/Old Highway 28.
 - (b) Minimum side yard setback: 40 feet
 - (c) Minimum rear yard setback: 75 feet
- (6) Parking shall not be located between a building line and a street right-of-way.

Ordinance #26-2014 cont'd:

(7) Development of the zone district shall be fully integrated:

(a) Pedestrian and vehicular circulation shall provide convenient access between all public areas.

(b) Architectural design shall be similar to the existing Ryland Inn

(8) Buffers:

(a) A 50 foot screening buffer shall be required along any rear property line adjacent to a residential use or zone.

(b) A 25 foot screening buffer shall be required along any side property line adjacent to a residential use or zone.

E. Minimum off-street parking – VH Zone. Each individual use shall provide parking spaces according to the following minimum provisions. No parking area or driveway shall be located within 10 feet of any property line, except where adjacent to a residential use or zone, in which case no parking area or driveway shall be located within 25 feet of any property line. Parking shall be permitted in side or rear yards and shall be suitably screened from view from the street.

(1) Hotels shall provide 1.25 spaces per guest room.

(2) Restaurants shall provide one space per every four seats.

(3) Spas/salons shall provide one space per every 400 sf. of floor area devoted to patron use

SECTION 2. Applicability. This Ordinance shall be applicable to all lands in Readington Township, except for lands that are the subject of a pending major subdivision application or site plan approval before the Planning Board that has been deemed complete as of the effective date of this Ordinance, (pursuant to NJSA 40:55D-10.3). Applications before the Zoning Board of Adjustment that have been filed with and deemed complete by the Board of Adjustment (pursuant to NJSA 40:55D-10.3) on or prior to the adoption date of this Ordinance, shall be reviewed according to the zone classification and standards in place prior to this zone change. In the event said application is withdrawn, or denied, the exemption applicable to the land shall lapse and this amended Ordinance shall be applicable.

SECTION 3. All other language not specifically changed by this ordinance amendment remain in full force and effect.

SECTION 4. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5. If the provision of any article, section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair or invalidate the remainder of any such article, section, subsection, paragraph, subdivision or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 6. This ordinance shall take effect immediately upon final passage and publication in accordance with law and upon filing with the Hunterdon County Planning Board.

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

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

The Public Hearing was scheduled for December 15, 2014 at 7:45 p.m.

ADMINISTRATOR'S REPORT

Administrator Mekovetz stated that she had nothing further to report.

ATTORNEY'S REPORT

Attorney Dragan reported that the arguments for the sewer case that went to the Supreme Court will begin tomorrow.

ENGINEER'S REPORT

Engineer O'Brien updated the Committee on the DEP Tier A permit revisions which includes a requirement to locate and map detention basins owned by the Township and private entities.

Engineer O'Brien reported that he had received a call from Tony Hajjer, the Township Engineer for Raritan Township, requesting a letter of support to 1) establish a five (5) ton weight limit restriction on River Road from Route 202 to Case Blvd to prevent truck traffic from passing through Case Blvd and 2) make River Road a one way road from Rockafellows Mills Road toward Route 202.

A **MOTION** was made by Mrs. Fort to provide a letter of support to Raritan Township, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

COMMITTEE REPORTS

Julia Allen

Mayor Allen reported that the County Agricultural Development Board requests that the Township provide annual update on the Farmland Preservation Plan documents. Mayor Allen continued that this year there is an application from Robert and Janet Cole, owners of a 24 acre farm on Readington Road located just outside the Agricultural Development Area for which the Township has already provided letters to the SADC and CADC to amend the ADA; however in addition to that, the Township must revise the project area summary form adding the Cole Farm prior to the December 15th deadline.

A **MOTION** was made by Mrs. Fort to amend the project area summary form to include the Cole Farm (Block 67, Lot 12), seconded by Mr. Auriemma with a vote of ayes all, nay recorded.

Thomas Auriemma

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

Betty Ann Fort

Mrs. Fort gave an update on the building demolition located on the Lake Cushetunk walkway to Main Street.

Frank Gatti

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

COMMENTS FROM THE PUBLIC

There were none.

COMMENTS FROM THE GOVERNING BODY

Mrs. Fort stated that the Board of Health received a report from the state regarding the removal of the four (4) tanks at the Solberg airport and the follow up indicates some leakage of jet fuel. Mrs. Fort requested authorization to send the report to Steve Souza, the Environmental Consultant, to determine the scope and effect of the leakage in addition to sending a copy to Steve Foster, Environmental Chairman. The Committee concurred that this request be granted.

As there was no further business, ***A MOTION*** was made by Mrs. Fort at 9:20 p.m. to adjourn the meeting, seconded by Mr. Auriemma with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/QPA
Municipal Clerk