

**READINGTON TOWNSHIP COMMITTEE
MEETING – March 2, 2015**

Mayor Fort *calls the meeting to order at 6:00 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 B. Fort, Deputy Mayor T. Auriemma, Mr. J. Broten, Mrs. M. Duffy
Mr. S. Tropello

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>
Transcontinental Pipe Line Co....	Contract Negotiations	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Lorenzen..... (Block 44, Lot 4.02 / 49 Dreahook Road)	Contract Negotiations.....	“ “ “
Executive Session Minutes..... • February 17, 2015	Attorney-Client Privilege.....	“ “ “
Ryland Developers, LLC.....	Litigation.....	“ “ “
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6 & 8; 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.”

- This Resolution shall take effect immediately.

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

The meeting reconvened at 7:56 p.m.

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

Mayor Fort remembered Kevin Devine, a longtime resident and founder of the Readington Dog Park, who passed away on February 23rd.

Executive Session:

Contract Negotiations / Transcontinental Pipe Line Co.

Mayor Fort stated that this matter remains in Executive Session.

Contract Negotiations / Lorenzen (Block 44, Lot 4.02 / 49 Dreahook Road)

Mayor Fort stated that there is no action needed on this matter, but reported that the contract has been signed.

Attorney-Client Privilege / Executive Session Minutes / February 17, 2015

A **MOTION** was made by Mr. Auriemma to approve the Executive Session Minutes of February 17, 2015 for content only, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

Litigation / Ryland Developers, LLC.

Mayor Fort stated that this matter remains in Executive Session.

Litigation / Solberg Aviation / Block 48, Lot 23; Block 55, Lot 33; Block 56, Lot 1, 3, 6 & 8; Block 67, Lot 2

Mayor Fort stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Fort read the following statement:

All items listed with an asterisk “*” are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussion of these items unless a committee member or citizen requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.

- * 1. **Approval of Minutes** of meeting of January 20, 2015 & February 17, 2015
- * 2. **Release of Soil Witness Fees** (Block 56, Lot 9 / 11 Thor Solberg Road)
- * 3. **2014 Vacation Carryover**

The following resolution was offered for consideration:

#R-2015-36

***TOWNSHIP OF READINGTON
RESOLUTION***

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

Resolution #R-2015-36 cont'd:

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

WHEREAS, current year vacation days carried over into the subsequent year must be used by March 31, 2015 and

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

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

NAME	HOURS
Ayotte	18
Babb	16
Balogh	32
Barczyk	63
Baumann	9.75
Benecchi	38
Brown, P.	60
Brown, R.	11.25
Carro	14
Clapp	5.5
Crater	24
Dewire	24
Donaruma	133
DuFosse	60
Duryea	8
Gould	40.5
Greco	16
Gysi	8
Hall	35
Hoofatt	75
Hudecek	8
Hulcher	48
Insabella	6
Jesseman	8
Kennedy	9
Konn	46
Kovonuk	35
Liddane	16.5
Lorenzi	4.75
Madeano	40
Mailler	28
MacMaster	35
Marcine	15
Mastro	17.75
Mazellan	60
Mekovetz	44
Mitchell	7
Parker	28
Paustian	16
Przewozny	99
Rindock	42
Santo	5.5
Slutter	7
Stoveken	55
Vurickio	24
Warner	2
Wester	64
Woolverton	48

* 4. **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	\$ 37,758.54
SEWER APPROPRIATIONS	4-02	\$ 859.42
CURRENT FUND	5-01	\$ 714,693.28
SEWER APPROPRIATIONS	5-02	\$ 100,766.00
TRUST FUNDS	X-03	\$ 27,914.45
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 17,576.72
PAYROLL DEDUCTIONS	X-06	\$ 195,784.06
REG. & LOCAL SCHOOL TAX	X-07	\$5,453,450.00
CAPITAL	X-11	\$ 545.00
CAPITAL	X-12	\$ 2,500.00
CAPITAL	X-14	\$ 18,728.08
CAPITAL	X-66	\$ 15,785.35
TOTAL OF ALL FUNDS		\$6,586,360.90

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

- Mr. Auriemma - Aye
- Mr. Broten - Aye
- Mrs. Duffy -Aye
- Mr. Tropello - Aye
- Mayor Fort - Aye

COMMENTS FROM THE PUBLIC for items listed on the agenda only

Suzanne Nagle, High Ridge Court, commented that Block 39, Lot 24 is not part of the Solberg Aviation litigation.

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

Clerk read by Title:

AN ORDINANCE AMENDING THE PENALTY PROVISIONS OF CHAPTER 158, ENTITLED “NOISE”, OF THE CODE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTEDON, STATE OF NEW JERSEY

ORDINANCE #01-2015

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

There were none.

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

There were none.

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

Clerk read by Title:

***AN ORDINANCE AMENDING THE PENALTY PROVISIONS OF CHAPTER 158, ENTITLED
“NOISE”, OF THE CODE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTEDON,
STATE OF NEW JERSEY***

ORDINANCE #01-2015

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

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

CORRESPONDENCE / OTHER INFORMATION

1. Letter dated From February 18, 2015 from Judith Allen, Township Clerk, Delaware Township regarding ***Opposition of the Proposed Penn East Pipeline***. No action taken.
2. Resolution from Doreen Cali, Borough Clerk of the Borough of Roselle Park ***Supporting Assembly Bill A-1109 which Seeks to Implement Stricter Rules and Regulations for Organizations that House and Care for Individuals with Developmental Disabilities***. No action taken.
3. Letter dated February 23, 2015 from Terry Newhard, Executive Director of NORWESCAP regarding ***Request of Support from Readington Township to Consider Passing a Proclamation Recognizing NORWESCAP’s Contribution to Serving the Low Income Community in Northwest NJ for the Last Fifty Years***.

The Committee requested more information on this organization and suggested deferring this matter to the next meeting.

NEW BUSINESS

1. ***An Ordinance to Provide for the Acceptance of Certain Easements Dedicated on Now or Formerly Portions of Block 40, Lot 1 in the Township of Readington, County of Hunterdon an State of New Jersey from Edward Nagle and Suzanne Solberg-Nagle***

***AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN EASEMENTS
DEDICATED ON NOW OR FORMERLY PORTIONS OF BLOCK 40, LOT 1 IN THE
TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW
JERSEY FROM EDWARD NAGLE AND SUZANNE SOLBERG-NAGLE***

Ordinance #02-2015

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 does hereby accept the dedication of the following easements over portions of Block 40, Lot 1 and other lots in the Township of Readington, granted to the Township by the property owners Edward Nagle and Suzanne Solberg-Nagle (hereinafter "Owner/Developer"), as shown on a final subdivision map prepared by James J. Mantz, NJ PE&LS Lic.#27843, filed in the Hunterdon County Clerk's Office on September 22, 2014 as Map #20140922000178510 and as set forth in the following documents:

Ordinance #02-2015 cont'd:

- 1) 30' wide drainage/stormwater easement across a portion of Block 40, Lot 1;
- 2) Conservation and Stream Corridor Protection Easements over portions of Block 40, Lots 1.03, 1.04, 1.05, 1.07 and 1.08;
- 3) Fire Tank Storage Easement located over a portion of Block 40, Lot 1.05, formerly Block 40, Lot 1;
- 4) Roadway Easement for Magnolia Lane, a private road. (This easement is for access, inspection and enforcement, as well as provision of certain enumerated services, as may be applicable);
- 5) 30' x 100' Sight Right Easement over a portion of Block 40, Lot 1.05 (formerly Lot 1);
- 6) 30' x 100' Sight Right Easement over a portion of Block 40, Lot 1.07 (formerly Lot 1),

The legal metes and bounds descriptions of the various aforementioned easements to be accepted are more particularly described within the above-listed easement documents which are on file in the office of the Readington Township Clerk at the municipal building, 509 Route 523, Whitehouse Station, N.J. and may be inspected during regular business hours.

The aforementioned easements grant the Township the right but not the obligation to access, maintain, inspect or otherwise exercise enforcement and other rights over the easement areas and the Township accepts these dedications under those circumstances.

Section 2. This easement is being acquired pursuant to N.J.S.A. 40A:12-3, 4 and 5, et seq. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. Effective Date.

This ordinance shall take effect immediately upon final adoption and publication according to law and upon recording the easements and this Ordinance in the Hunterdon County Clerk's Office.

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

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

The Public Hearing was scheduled for *March 16, 2015 at 7:45 p.m.*

1. ***An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank For Calendar Year 2015***

Mr. Broten explained that this ordinance does not automatically increase spending or taxes; rather that it is a provision permitted to the Township as a budgeting tool in the event it is necessary.

The following ordinance was offered for introduction:

CALENDAR YEAR 2015
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

ORDINANCE # 03-2015

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Readington in the County of Hunterdon finds it advisable and necessary to increase its CY 2015 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee of the Township of Readington hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 477,567. in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee of the Township of Readington hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Readington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2015 budget year, the final appropriations of the Township of Readington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 477,567, and that the CY 2015 municipal budget for the Township of Readington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Tropello	- Aye
Mayor Fort	- Aye

The Public Hearing was scheduled for *March 16, 2015 at 7:45 p.m.*

2. ***Request of the Open Space Advisory Board Regarding Fencing and Signage at Locations on the Cole Road Greenway and Pleasant Run Greenway*** – memo dated February 5, 2015 from Juergen Huelsebusch, Chairman of Readington Township Open Space Advisory Board

Mayor Fort stated that this fencing makes it possible for horses and pedestrians to get on to the Greenway though it would restrict motorized vehicles from attaining access. Mrs. Duffy added that this is becoming problematic because it is an entry point for ATVs. Mr. Tropello questioned whether he would be able to vote on this matter since his property abuts this particular property. Administrator Mekovetz maintained that the expense would be minimal, estimating it would be under \$500 including the signage. Mr. Broten suggested that Open Space Advisory Board also look at the west trailhead.

A MOTION was made by Mrs. Duffy to approve the request of the Open Space Advisory Board regarding fencing and signing at locations of Cole Road and Pleasant Run Greenway, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Broten	- Aye
Mrs. Duffy	- Aye
Mr. Tropello	- Abstain
Mayor Fort	- Aye

A MOTION was made by Mr. Broten to request the Open Space Advisory Board look into the necessity for additional fencing or barriers on the west entry to the Cole Road Greenway, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

3. ***Request to Use Tower Field on Cole Road to Hold Annual Trail Pace*** - email dated February 12, 2015 from Janet Agresti, Readington Trail Association

A MOTION was made by Mrs. Duffy to approve the request to use Tower Field, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

- * 5. ***Release of Soil Witness Fees*** (Block 56, Lot 9 / 11 Thor Solberg Road)

This matter was addressed under the Consent Agenda.

- * 6. ***2014 Vacation Carryover*** – resolution

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 clarified the regulations of the Transco diversion process.

COMMITTEE REPORTS

Thomas Auriemma

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

John Broten

Mr. Broten commented on the great job the Department of Public Works is doing this winter and expressed his appreciation for their hard work.

M. Elizabeth Duffy

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

Betty Ann Fort

Mayor Fort reported that the Bouman Stickney held a butter making demonstration.

Samuel Tropello

Mr. Tropello reported that he attended the DEP Public Hearing in Princeton.

Mr. Tropello reported that Readington Fire held their awards presentation and commended the Emergency Services for their volunteer work.

COMMENTS FROM THE PUBLIC

Scott Scammel, Dreahook Road, asked the Committee to consider a resolution for Kevin Devine as founder of the dog park. Mr. Scammel further commented that the Committee should consider a park or land usage for ATVs. Mr. Scammel questioned if the Township will be holding a Memorial Day Parade.

Jeff Herzog, Chief of Whitehouse Rescue, updated the Committee on some of the numbers that the fire companies submitted at the presentation at the last meeting.

Donald Baldwin, Morning Star Road, commented that it is hope that Kevin Devine could be memorialized with his name on the dog park. Mr. Baldwin commented on the fencing and signage of the PSE&G near Hillcrest. Mr. Baldwin asked if unapproved minutes are on the website and further questioned whether the appellate decision to the Solberg litigation would be posted on the website.

Suzanne Nagle, High Ridge Court, asked about the procedure to rename the dog park in honor of Kevin Devine.

COMMENTS FROM THE GOVERNING BODY

As there was no further business, *A MOTION* was made by Mrs. Duffy at 8:40 p.m. to adjourn the meeting, seconded by Mr. Broten with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/QPA
Municipal Clerk