

**READINGTON TOWNSHIP COMMITTEE
MEETING – July 20, 2015**

Mayor Fort *calls the meeting to order at 5:30 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 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:

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>
Code.....	Personnel.....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Personnel.....	Personnel.....	“ “ “
Recreation.....	Personnel.....	“ “ “
Public Works Employees..... Teamsters Local No. 469	Contract Negotiations.....	“ “ “
Building and Grounds..... Teamsters Local No. 469	Contract Negotiations.....	“ “ “
Executive Session Minutes..... • July 6, 2015	Attorney-Client Privilege.....	“ “ “
Mt. Laurel Affordable Housing..... Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6 & 8; Block 67, Lot 2 (Solberg Aviation).....	Potential Litigation.....	“ “ “
	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. 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*.

Executive Session:

Personnel / Code

A **MOTION** was made by Mr. Broten to hire as Joseph Souto as the Electrical Sub-Code Official at an annual salary of \$68,000, seconded by Mr. Tropello and on Roll Call vote the following was recorded:

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

Personnel / Personnel

Mayor Fort stated that this matter remains in Executive Session.

Personnel / Recreation

A **MOTION** was made by Mrs. Duffy to hire Henry Hawkins as an additional summer camp counselor at an hourly rate of \$9.00 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

Contract Negotiations /Public Works Employees / Teamsters Local No. 469

Mayor Fort stated that this matter remains in Executive Session.

Contract Negotiations / Building & Grounds / Teamsters Local No. 469

Mayor Fort stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / July 6, 2015

A **MOTION** was made by Mr. Tropello to approve the Executive Session Minutes of July 6, 2015 for content only, seconded by Mr. Broten with a vote of ayes all, nays none recorded.

Potential Litigation / Mt. Laurel Affordable Housing

Mayor Fort stated that this matter was not discussed 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.

A request was made to remove the *Minutes of the July 6, 2015 meeting* from the Consent Agenda.

- * 1. ***Catering Affair Permit / Festival of Ballooning / Gold N Dough Boys***
(July 24th through July 26th)
- * 2. ***Release of Board of Health Escrow (Block 28, Lot 24 / 50 School Road)***
- * 3. ***Award of Bond Anticipation Notes***

Total Principal \$24,563,940.00
Closing date: July 23, 2015

Term: 7/23/15-2/4/16

AWARDED TO TD SECURITIES LLC

Net Interest Rate = .35%
Premium \$84,499.95

Purpose of Sale: Refinance Old Notes

- * 4. ***Resolution to Reject the Single Bid from Kodiak Rod & Gun Club / Grizzly Rod & Gun Club for Hunting on Block 21, Lot 30 (US Highway 22 East)***

The following resolution was offered for consideration:

#R-2015-84

**READINGTON TOWNSHIP
RESOLUTION**

WHEREAS, the Readington Township Committee (“Committee”) publically advertised for hunting bids during the 2015-2016 season on several properties owned by the Township, including those known as Block 52.01, Lot 14.06 (Cole Road); Block 21, Lot 30 (U.S. Hwy. 22 East); Block 25, Lot 50 (Dreahook Road); and Block 55, Lot 13.51 (Pinebank Road), which properties are Green Acres-assisted and publicly-accessed (hereinafter referred to as “the Properties”); and

WHEREAS, on June 30, 2015, the Township Administrator/Clerk conducted the bid opening on the Properties and, upon review, it was determined that Kodiak Rod & Gun Club was the only bidder on both Block 52.01, Lot 14.06 (Cole Road) in the amount of \$4,602.99 and on Block 21, Lot 30 (U.S. Hwy. 22 East) in the amount of \$5,035.99; and that Grizzly Rod & Gun Club was the only bidder on Block 25, Lot 50 (Dreahook Road) in the amount of \$756.00 and the highest of two bidders on Block 55, Lot 13.51 (Pinebank Road) in the amount of \$1,785.00; and

Resolution #R-2015-84 cont'd:

WHEREAS, it was further determined that Kodiak Rod & Gun Club and Grizzly Rod & Gun Club appeared to have colluded or otherwise worked with each other in order to circumvent the Township's two property maximum per bidder as specified by the bid instructions because, although they have different club names, they are in substance the same hunting club. The reasons for this conclusion are the following: 1) according to the member list of each club, the people listed as officers in Grizzly Rod & Club hold the same officer positions in Kodiak Rod & Gun Club; 2) all the members listed in Grizzly Rod & Gun Club's roster are also listed in Kodiak Rod & Gun Club's roster; 3) the certified checks which constituted the bid guarantee for both clubs were drawn on the same bank and remitted by the same person (Christopher Corra) who is a member of both clubs.

WHEREAS, a local contracting unit may reject bids which it determines have not been arrived at independently in open competition; and N.J.S.A. 40A: 11-13.2 further provides that a public contracting unit may reject all bids if it finds that the purposes or provisions of the local public contracts law (N.J.S.A. 40A:11-1 et seq.) are being violated; and

WHEREAS, the Township Committee finds that the actions of Kodiak Rod & Gun Club and Grizzly Rod & Gun Club (ie. being in essence the same hunting club): 1) do not constitute compliance with the Township's bid specifications with respect to the two property maximum bid requirement and 2) appear to violate the purposes or provisions of the N.J. local public contract laws, one of the primary purposes of which is to promote a fair, open and competitive process for awarding public contracts and therefore finds it appropriate and necessary to reject all bids made by both Kodiak Rod & Gun Club and Grizzly Rod & Gun Club in this matter.

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. The Township Committee hereby accepts the recommendation of the Township Administrator and Township Attorney and rejects the single bid received from Kodiak Rod & Gun Club for hunting on Block 21, Lot 30 (U.S. Hwy. 22 East) in the Township because it violates the Township's bid specifications which specified a two property bid maximum; further, its bid does not appear to have been arrived at independently, but as a result of collusion with Grizzly Rod & Gun Club and is thus not in keeping with the purposes of the local public contracts law, as set forth in the preamble above.

2. The Township Administrator/Clerk is authorized to notify the bidder of this decision and to re-bid the hunting lease on Block 21, Lot 30 and to specify a minimum bid.

3. This resolution memorializes the decision made by the Township Committee at its meeting held on July 6, 2015, which decision became effective on that date.

- * 5. **Resolution to Reject the Single Bid from Kodiak Rod & Gun Club / Grizzly Rod & Gun Club for Hunting on Block 52.01, Lot 14.06 (Cole Road)**

The following resolution was offered for consideration:

#R-2015-85

**READINGTON TOWNSHIP
RESOLUTION**

WHEREAS, the Readington Township Committee ("Committee") publically advertised for hunting bids during the 2015-2016 season on several properties owned by the Township, including those known as Block 52.01, Lot 14.06 (Cole Road); Block 21, Lot 30 (U.S. Hwy. 22 East); Block 25, Lot 50 (Dreahook Road); and Block 55, Lot 13.51 (Pinebank Road), which properties are Green Acres-assisted and publicly-accessed (hereinafter referred to as "the Properties"); and

Resolution #R-2015-85 cont'd:

WHEREAS, on June 30, 2015 , the Township Administrator/Clerk conducted the bid opening on the Properties and , upon review, it was determined that Kodiak Rod & Gun Club was the only bidder on both Block 52.01, Lot 14.06 (Cole Road) in the amount of \$4,602.99 and on Block 21, Lot 30 (U.S. Hwy. 22 East) in the amount of \$5,035.99; and that Grizzly Rod & Gun Club was the only bidder on Block 25, Lot 50 (Dreahook Road) in the amount of \$756.00 and the highest of two bidders on Block 55, Lot 13.51 (Pinebank Road) in the amount of \$1,785.00; and

WHEREAS, it was further determined that Kodiak Rod & Gun Club and Grizzly Rod & Gun Club appeared to have colluded or otherwise worked with each other in order to circumvent the Township's two property maximum per bidder as specified by the bid instructions because, although they have different club names, they are in substance the same hunting club. The reasons for this conclusion are the following: 1) according to the member list of each club, the people listed as officers in Grizzly Rod & Club hold the same officer positions in Kodiak Rod & Gun Club; 2) all the members listed in Grizzly Rod & Gun Club's roster are also listed in Kodiak Rod & Gun Club's roster; 3) the certified checks which constituted the bid guarantee for both clubs were drawn on the same bank and remitted by the same person (Christopher Corra) who is a member of both clubs.

WHEREAS, a local contracting unit may reject bids which it determines have not been arrived at independently in open competition; and N.J.S.A. 40A: 11-13.2 further provides that a public contracting unit may reject all bids if it finds that the purposes or provisions of the local public contracts law (N.J.S.A. 40A:11-1 et seq.) are being violated; and

WHEREAS, the Township Committee finds that the actions of Kodiak Rod & Gun Club and Grizzly Rod & Gun Club (ie. being in essence the same hunting club): 1) do not constitute compliance with the Township's bid specifications with respect to the two property maximum bid requirement and 2) appear to violate the purposes or provisions of the N.J. local public contract laws, one of the primary purposes of which is to promote fair, open and competitive process for awarding public contracts and therefore finds it appropriate and necessary to reject all bids made by both Kodiak Rod & Gun Club and Grizzly Rod & Gun Club in this matter.

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. The Township Committee hereby accepts the recommendation of the Township Administrator and Township Attorney and rejects the single bid received from Kodiak Rod & Gun Club for hunting on Block 52.01, Lot 14.06 (Cole Road) in the Township because it violates the Township's bid specifications which specified a two property bid maximum; further, its bid does not appear to have been arrived at independently, but as a result of collusion with Grizzly Rod & Gun Club and is thus not in keeping with the purposes of the local public contracts law, as set forth in the preamble above.

2. The Township Administrator/Clerk is authorized to notify the bidder of this decision and to re-bid the hunting lease on Block 52.01, Lot 14.06 and to specify a minimum bid.

3. This resolution memorializes the decision made by the Township Committee at its meeting held on July 6, 2015, which decision became effective on that date.

- * 6. ***Resolution to Reject the Single Bid from Kodiak Rod & Gun Club / Grizzly Rod & Gun Club for Hunting on Block 25, Lot 50 (Dreahook Road)***

The following resolution was offered for consideration:

#R-2015-86

**READINGTON TOWNSHIP
RESOLUTION**

WHEREAS, the Readington Township Committee (“Committee”) publically advertised for hunting bids during the 2015-2016 season on several properties owned by the Township, including those known as Block 52.01, Lot 14.06 (Cole Road); Block 21, Lot 30 (U.S. Hwy. 22 East); Block 25, Lot 50 (Dreahook Road); and Block 55, Lot 13.51 (Pinebank Road), which properties are Green Acres-assisted and publicly-accessed property (hereinafter referred to as “the Properties”); and

WHEREAS, on June 30, 2015, the Township Administrator/Clerk conducted the bid opening on the Properties and, upon review, it was determined that Kodiak Rod & Gun Club was the only bidder on both Block 52.01, Lot 14.06 (Cole Road) in the amount of \$4,602.99 and on Block 21, Lot 30 (U.S. Hwy. 22 East) in the amount of \$5,035.99; and that Grizzly Rod & Gun Club was the only bidder on Block 25, Lot 50 (Dreahook Road) in the amount of \$756.00 and the highest of two bidders on Block 55, Lot 13.51 (Pinebank Road) in the amount of \$1,785.00; and

WHEREAS, it was further determined that Kodiak Rod & Gun Club and Grizzly Rod & Gun Club appeared to have colluded or otherwise worked with each other in order to circumvent the Township’s two property maximum per bidder as specified by the bid instructions because, although they have different club names, they are in substance the same hunting club. The reasons for this conclusion are the following: 1) according to the member list of each club, the people listed as officers in Grizzly Rod & Club hold the same officer positions in Kodiak Rod & Gun Club; 2) all the members listed in Grizzly Rod & Gun Club’s roster are also listed in Kodiak Rod & Gun Club’s roster; 3) the certified checks which constituted the bid guarantee for both clubs were drawn on the same bank and remitted by the same person (Christopher Corra) who is a member of both clubs.

WHEREAS, a local contracting unit may reject bids which it determines have not been arrived at independently in open competition; and N.J.S.A. 40A: 11-13.2 further provides that a public contracting unit may reject all bids if it finds that the purposes or provisions of the local public contracts law (N.J.S.A. 40A:11-1 et seq.) are being violated; and

WHEREAS, the Township Committee finds that the actions of Kodiak Rod & Gun Club and Grizzly Rod & Gun Club (ie. being in essence the same hunting club): 1) do not constitute compliance with the Township’s bid specifications with respect to the two property maximum bid requirement and 2) appear to violate the purposes or provisions of the N.J. local public contract laws, the primary purpose of which is to promote fair, open and competitive process for awarding public contracts and therefore finds it appropriate and necessary to reject all bids made by both Kodiak Rod & Gun Club and Grizzly Rod & Gun Club in this matter.

WHEREAS, in addition to the above, the bid submitted by Grizzly Rod & Gun Club for Block 25, Lot 50 (Dreahook Road) was also deficient in that the bid guarantee it submitted (\$76.00) was less than the amount required (a minimum of \$100 or 10% of the amount bid, whichever was greater). The bidder attempted to cure the defect by submitting the correct check amount after the bid package was opened.

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. The Township Committee hereby accepts the recommendation of the Township Administrator and Township Attorney and rejects the single bid received from Grizzly Rod & Gun Club for hunting on Block 25, Lot 50 (Dreahook Road) in the Township because it violates the Township’s bid specifications which: a) required a minimum bid guarantee of \$100 or 10% of the amount bid, whichever was greater and b) specified a two property bid maximum; further, its bid does not appear to have been arrived at independently, but as a result of collusion with Kodiak Rod & Gun Club and is thus not in keeping with the purposes of the local public contracts law, as set forth in the preamble above.

2. The Township Administrator/Clerk is authorized to notify the bidder of this decision and to re-bid the hunting lease on Block 25, Lot 50 and to specify a minimum bid.

Resolution #R-2015-86 cont'd:

3. This resolution memorializes the decision made by the Township Committee at its meeting held on July 6, 2015, which decision became effective on that date.

- * 7. ***Resolution to Reject the Higher Bid from Kodiak Rod & Gun Club / Grizzly Rod & Gun Club for Hunting on Block 55, Lot 13.51 (Pinebank Road) and Award the Hunting Lease to the Pines Road and Gun Club, the Second Highest Bidder***

The following resolution was offered for consideration:

#R-2015-87

***READINGTON TOWNSHIP
RESOLUTION***

WHEREAS, the Readington Township Committee (“Committee”) publically advertised for hunting bids during the 2015-2016 season on several properties owned by the Township, including those known as Block 52.01, Lot 14.06 (Cole Road); Block 21, Lot 30 (U.S. Hwy. 22 East); Block 25, Lot 50 (Dreahook Road); and Block 55, Lot 13.51 (Pinebank Road), which properties are Green Acres-assisted and publicly-accessed property (hereinafter referred to as “the Properties”); and

WHEREAS, on June 30, 2015, the Township Administrator/Clerk conducted the bid opening on the Properties and, upon review, it was determined that Kodiak Rod & Gun Club was the only bidder on both Block 52.01, Lot 14.06 (Cole Road) in the amount of \$4,602.99 and on Block 21, Lot 30 (U.S. Hwy. 22 East) in the amount of \$5,035.99; and that Grizzly Rod & Gun Club was the only bidder on Block 25, Lot 50 (Dreahook Road) in the amount of \$756.00 and the highest of two bidders on Block 55, Lot 13.51 (Pinebank Road) in the amount of \$1,785.00; and

WHEREAS, it was further determined that Kodiak Rod & Gun Club and Grizzly Rod & Gun Club appeared to have colluded or otherwise worked with each other in order to circumvent the Township’s two property maximum per bidder as specified by the bid instructions because, although they have different club names, they are in substance the same hunting club. The reasons for this conclusion are the following: 1) according to the member list of each club, the people listed as officers in Grizzly Rod & Club hold the same officer positions in Kodiak Rod & Gun Club; 2) all the members listed in Grizzly Rod & Gun Club’s roster are also listed in Kodiak Rod & Gun Club’s roster; 3) the certified checks which constituted the bid guarantee for both clubs were drawn on the same bank and remitted by the same person (Christopher Corra) who is a member of both clubs.

WHEREAS, a local contracting unit may reject bids which it determines have not been arrived at independently in open competition; and N.J.S.A. 40A: 11-13.2 further provides that a public contracting unit may reject all bids if it finds that the purposes or provisions of the local public contracts law (N.J.S.A. 40A:11-1 et seq.) are being violated; and

WHEREAS, the Township Committee finds that the actions of Kodiak Rod & Gun Club and Grizzly Rod & Gun Club (ie. being in essence the same hunting club): 1) do not constitute compliance with the Township’s bid specifications with respect to the two property maximum bid requirement and 2) appear to violate the purposes or provisions of the N.J. local public contract laws, the primary purpose of which is to promote a fair, open and competitive process for awarding public contracts and therefore finds it appropriate and necessary to reject all bids made by both Kodiak Rod & Gun Club and Grizzly Rod & Gun Club in this matter.

WHEREAS, a second bid was received for Block 55, Lot 13.51 (Pinebank Road) from Pines Rod & Gun Club in the amount of \$738.00 which met the bid specifications and did not indicate any evidence of collusion.

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

Resolution #R-2015-87 cont'd:

1. The Township Committee hereby accepts the recommendation of the Township Administrator and Township Attorney and rejects the higher bid received from Grizzly Rod & Gun Club for hunting on Block 55, Lot 13.51 (Pinebank Road) in the Township because it violates the Township's bid specifications which specified a two property bid maximum; further, its bid does not appear to have been arrived at independently, but as a result of collusion with Kodiak Rod & Gun Club and is thus not in keeping with the purposes of the local public contracts law, as set forth in the preamble above.
2. The Township Committee hereby awards the hunting lease on Block 55, Lot 13.51 to Pines Rod & Gun Club, the second highest bidder, in the amount of \$738.00.
3. The Township Administrator/Clerk is authorized to notify the bidders of this decision.
4. This resolution memorializes the decision made by the Township Committee at its meeting held on July 6, 2015, which decision became effective on that date.

* 8. **Tax Lien Redemption**

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, the Readington Township Tax Collector has recommended the following refund for property taxes:

<u>BLOCK/LOT</u> <u>2015</u>	<u>REFUND TO</u>	<u>REASON</u>	<u>AMOUNT</u>
34/36.210	Chase	Overpayment	\$ 527.17

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer is hereby authorized to refund the amount recommended.

* 9. **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	5-01	\$ 649,196.01
SEWER APPROPRIATIONS	5-02	\$ 260.62
TRUST FUNDS	X-03	\$ 44,074.95
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 34,565.34
PAYROLL DEDUCTIONS	X-06	\$ 176,091.33
DUE TO STATE OF NJ	X-09	\$ 675.00
CAPITAL	X-14	\$ 2,500.00
TOTAL OF ALL FUNDS		\$ 907,363.25

A **MOTION** was made by Mrs. Duffy 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

Approval of Minutes of meeting of July 6, 2015

A **MOTION** was made by Mr. Auriemma to approve the minutes of the July 6, 2015 meeting as corrected, seconded by Mr. Tropello with a vote of ayes all, nays none recorded.

COMMENTS FROM THE PUBLIC for items listed on the agenda only

Mr. Scammel, Dreahook Road, stated that his comments on the petition were written into the minutes of the last meeting and asked if the Committee's response should not be included as well.

PUBLIC HEARINGS

As it was after 7:45 p.m., A **MOTION** was made by Mrs. Duffy 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 AUTHORIZING THE CONVEYANCE OF CERTAIN SUPPLEMENTAL RIGHT OF WAY AGREEMENTS/EASEMENTS ON PORTIONS OF BLOCK 50, LOT 14.01; BLOCK 76, LOT 3.01, BLOCK 50, LOT 41 AND BLOCK 75, LOT 32.03 OWNED BY READINGTON TOWNSHIP TO TRANSCONTINENTAL GAS PIPELINE COMPANY, LLC FOR GAS LINE PURPOSES

ORDINANCE #06-2015

Attorney Dragan clarified that the four (4) right of way agreements do not cover the entire consideration that is coming to the Township and there will still be \$179,500 to cover conversation easements and temporary workspace that are not owned by the Township.

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.

Bob Schoenfeld, Oldwick Road, requested clarification on the four (4) properties with regard to the temporary work space and permanent right of way.

Michael Holt asked if the Township would be allowed to penalize in the event that Transco went beyond the timeline in the temporary workspace and also if there is an agency to review the progress.

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

Clerk read by Title:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN SUPPLEMENTAL RIGHT OF WAY AGREEMENTS/EASEMENTS ON PORTIONS OF BLOCK 50, LOT 14.01; BLOCK 76, LOT 3.01, BLOCK 50, LOT 41 AND BLOCK 75, LOT 32.03 OWNED BY READINGTON TOWNSHIP TO TRANSCONTINENTAL GAS PIPELINE COMPANY, LLC FOR GAS LINE PURPOSES

ORDINANCE #06-2015

A ***MOTION*** was made by Mr. Broten to adopt 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

CORRESPONDENCE / OTHER INFORMATION

1. ***Herbicides/Pesticides on Township Owned Property*** – memo dated July 14, 2015 from Rebekah Harms, Planning Board Secretary

Mayor Fort stated that at the last Planning Board meeting it was brought up that PSE&G is approaching the Township requesting to spray herbicides/pesticides on the easements of township owned properties and also the same from private homeowners. Mayor Fort continued that there was concern that the Township did not have to approve this and the private homeowners would have the right to decline the treatment as well. Mr. Broten wondered if there was anything in utility company easement agreements that may allow this. The Committee discussed the impact of spraying the herbicides/pesticides and concurred that they would like to opt out of the spraying for this year on Township properties and furthermore, set up a meeting with PSE&G to determine their plan.

A ***MOTION*** was made by Mrs. Duffy to 1) request that Attorney Dragan review the easement agreements to determine the rights of both the Township and also the utility company, 2) authorize Administrator Mekovetz to set up a meeting with PSE&G to discuss their plan, and assuming there is nothing restrictive in the easements, therefore allowing homeowners the right to say *no*; post that information for property owners on the Township website and 3) also in the event there is nothing restrictive in the easements, the Township will opt for *No Spraying on Township owned property*, seconded by Mr. Broten with a vote of ayes all, nays none recorded.

NEW BUSINESS

1. ***An Ordinance Amending the Land Use Ordinance to Modify the Research Office Zoning District in the Township of Readington, County of Hunterdon and State of New Jersey***

Mayor Fort explained that this ordinance is making some modifications to our current RO zone, making it more appealing to possible users by adding some uses currently not listed such a computer center, conference center, hotel and a medical office facility. Attorney Dragan suggested some language amendments. Mr. Tropello questioned how many research zones this would affect. Mr. Broten also requested a more specific description to define the *Computer Center* and questioned the lack of definition of *Self Storage*.

The following ordinance was offered for introduction:

AN ORDINANCE AMENDING AND SUPPLEMENTING THE DISTRICT REGULATIONS OF THE RESEARCH OFFICE (RO) ZONING DISTRICT CONTAINED IN ARTICLE IV OF CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON LAND USE VOLUME

#07-2015

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., confers power to a municipality to regulate the use of lands within the jurisdiction of Readington Township; and

WHEREAS, the Readington Township Committee desires to modify the Research Office Zoning District for offices and related commercial uses; and

WHEREAS, it has been determined by Readington Township Committee that the modification of the Research Office zoning district would effectuate the intent and purpose of the goals and objectives of the Master Plan of the Township of Readington and further the public health and welfare; and

WHEREAS, the Municipal Land Use Law requires that any amendments or revisions to Readington Township’s Land Development Ordinance shall be reviewed by the Planning Board to determine if said amendments or revisions thereto are substantially consistent with the “Land Use Plan Element” of the Master Plan of the Township of Readington; and

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Readington that the Land Development Ordinance of the Code of Readington Township be hereby amended as follows:

Section 1. §148-9, Definitions, shall be amended by deleting the words or numbers struck through [~~thus~~] and adding the words or numbers underlined [thus]:

COMPUTER CENTER

A facility where the majority of space is occupied by computers and related equipment and/or where electronic data is stored and may be processed, analyzed, sorted and converted by employees or customers either on site or remotely.

CONFERENCE CENTER

A facility used for service organizations, business and professional conferences and seminars and the training of personnel engaged in business, educational, scientific, or research endeavors, but not to include business or trade schools.

HOTEL

~~A building or group of buildings consisting of individual sleeping units designed for transient travelers and not for permanent residency.~~ A facility for overnight accommodation of transient guests for compensation which: 1) contains guest rooms or suites, each having its only access from an interior corridor, 2) contains a public lobby providing guest services 24 hours per day, 3) has full-time on-site management, 4) may contain drinking and eating establishments, shops and other ancillary uses, and 5) contains a minimum of 30 guest rooms.

OFFICE, MEDICAL

A building or portion of a building principally engaged in providing services for health maintenance, diagnosis (including testing) and treatment of human diseases, pain or other physical or mental condition of patients solely on an outpatient basis.

Section 2. §148-25, RO Research Office Zone, shall be amended by deleting the words or numbers struck through [~~thus~~] and adding the words or numbers underlined [thus]:

§ 148-25. RO Research Office Zone.

- A. Purpose - RO Zone. This district is intended for research and office development exclusive of the manufacturing and warehousing components of the ROM-1 and ROM-2 Districts but including ancillary uses that support this primary purpose.

Ordinance #07-2015 cont'd:

B. Principal permitted uses - RO Zone.

- (1) On lots less than 10 acres.
 - (a) Professional, administrative, medical and business offices.
 - (b) Agriculture. [Amended 12-17-2012 by Ord. No. 33-2012]
 - (c) Child-care centers.
 - (d) Hotels on lots of at least 5 acres.
 - (e) Public and private open space and parks.
- (2) On lots of 10 acres or more in size.
 - (a) All uses permitted under §148-25.B(1).
 - (b) Research, testing and analytical laboratories.
 - (c) Computer centers.
 - (d) Combinations of principal permitted uses on one lot in single or multiple buildings.

C. Accessory uses - RO Zone.

- (1) Signs as regulated in Article XII.
- (2) Private garages, off-street parking and truck loading spaces.
- (3) Display showrooms for products of permitted on-site research and testing.
- (4) Conference center in conjunction with a hotel.
- (5) Eating facilities not open to the general public.
- (6) Eating and drinking facilities in conjunction with a hotel that may be open to the general public.
- (7) Health, fitness and spa center, tennis and golf in conjunction with a hotel.
- (8) Fences and walls as regulated in Article VI.
- (9) Child-care centers for the sole use of employees of the principal use. (The floor area occupied by the accessory child-care center shall be excluded in calculating any parking requirements otherwise applicable to that number of units or amount of floor space and the permitted density allowable for that building or structure.)
- (10) Agricultural storage sheds and barns. [Amended 12-17-2012 by Ord. No. 33-2012]
- (11) The sale and processing of agricultural products, the majority of which are raised or grown on the farm or same farming operation on which the accessory sale or processing is conducted.
- (12) Integrated solar energy facilities as regulated in § 148-60.2. [Added 10-1-2012 by Ord. No. 21-2012]
- (13) Accessory solar energy facilities as regulated in § 148-60.2. [Added 10-1-2012 by Ord. No. 21-2012]

Ordinance #07-2015 cont'd:

- D. Conditional uses - RO Zone (subject to regulations set forth in Article V). [Amended 7-6-2009 by Ord. No. 19-2009]
 - (1) Public utilities.
 - ~~(2) Assembly uses.~~
- E. Prohibited uses - RO Zone.
 - (1) All uses with nuisance factors (see definitions) other than passenger and truck traffic or congregation of employees, subject to the requirements of this chapter.
 - (2) Retail sale of goods and services to the general public except where accessory to a permitted use, including display showrooms for products of on-site research, testing or manufacturing uses or employee dining rooms.
 - (3) All residential uses.
- F. Area and yard requirements - RO Zone.
 - (1) Minimum lot size: 10 acres for new lots.
 - (2) Maximum floor area ratio (F.A.R.) (see Notes 1 and 2): [Amended 4-4-1994; 5-16-1994]

Description	Existing Lots	
	Less Than 10 Acres	10 Acres or Greater
With public sewer and public water and favorable traffic accessibility, provided that if access is to Route 523 the subject tract also has frontage on Route 523 (See definition in § 148-9).	0.12	0.15
With public sewer and public water and favorable traffic accessibility to Route 523 without tract frontage thereon.	0.10	0.12
Without public sewer and public water but with favorable traffic accessibility.	0.08	0.10
Without public sewer and public water and without favorable traffic accessibility.	0.05	0.07

NOTE 1: For the RO Zone on the north side of Route 22 near Branchburg, the maximum F.A.R. may be increased by 0.01 for each full 100 feet of additional frontage over the minimum required frontage on Route 22.

NOTE 2: An increment of no greater than 10% of the gross floor area (GFA) otherwise permitted by the applicable F.A.R. standard is permitted as additional GFA for buildings limited to parcels with favorable traffic accessibility to Routes 22, 202 or 523 and 10 or more acres in size which employ either of the following design elements:

- (a) A minimum of one level of underground parking which is equivalent in area to 90% of the GFA of the ground floor of the office building being served by the parking; or
- (b) In multistory buildings, an atrium at the entrance or other central location within the building in which the interior space shall be open from the ground level to the ceiling of the highest floor. The atrium shall occupy a minimum of 5% of the ground floor area and be no less than 500 square feet in area.
- (c) A maximum increment of 20% of the GFA is permitted for buildings which employ both of the design elements cited above.

Ordinance #07-2015 cont'd:

(3) Maximum impervious coverage (MIC).

Description	Less Than 10 Acres	10 Acres or Greater
With public sewer and public water and favorable traffic accessibility.	0.35	0.45
Without public sewer and public water or favorable traffic accessibility.	0.25	0.30
Without public sewer and public water and <u>without</u> favorable traffic accessibility.	0.20	0.25

(4) Frontage.

<u>Distance</u>	Less Than 10 Acres	10 Acres or Greater
Required Frontage	200 feet	200 feet

(5) Setbacks.

Distance	Less Than 10 Acres	10 Acres or Greater
Front:		
From right-of-way of any state or county road.	75 feet	100 feet
From right-of-way of any municipal street.	75 feet	100 feet
Side:		
Each side unless adjacent to a residential zone.	50 feet	50 feet
Each side which is adjacent to a residential zone district when two-story construction is proposed.	75 feet	100 feet
Rear: Same as side yard requirements.		

(6) Buffers.

Width	Less Than 10 Acres	10 Acres or Greater
Width of buffer required from right-of-way of any state or county highway.	50 feet	50 feet
Width of screening buffer required in the side and rear yards adjacent to any residential zone or existing residential use	50 feet	50 feet

Note: Screening buffers shall be planted in accordance with § 148-63.

(7) Height.

Feet/Stories	Less Than 10 Acres	10 Acres or Greater
Feet <u>and</u> Stories	35 feet <u>and</u> 2 1/2 stories	45 feet <u>and</u> 3 stories

NOTE: Roof-mounted mechanical equipment ~~must~~ shall be suitably screened from view and may exceed the height standard listed above by no more than 10 feet.

Ordinance #07-2015 cont'd:

- G. Minimum off-street parking - ~~ROM-1~~ RO Zone. Each individual use shall provide parking spaces according to the following provisions. No parking area shall be permitted in a front yard. No parking area shall be located within 25 feet of any property line. Where wider buffer areas are required, the parking and driveways shall comply with the buffer requirements.
- (1) Professional, administrative and business offices under 50,000 square feet of gross floor area and medical offices of any size shall provide one space per 200 square feet of gross floor area.
 - (2) Professional, administrative and business offices from 50,000 to 99,999 square feet of gross floor area shall provide one space per 250 square feet of gross floor area.
 - (3) Professional, administrative and business offices 100,000 square feet or greater in gross floor area and conference centers of any size shall provide one space per 285 square feet of gross floor area.
 - (4) Research, testing and analytical laboratories shall provide one space per 1,000 square feet of gross floor area.
 - (5) Computer centers shall provide one space per ~~200 square feet~~ anticipated employee.
 - (6) Child-care centers shall provide one space per three children.
 - (7) Hotels shall provide 1.25 spaces per guest room.
 - (8) Eating facilities open to the general public shall provide one space for each three seats.
 - (9) Drinking facilities open to the general public shall provide one space for each 50 square feet devoted to patron use.

Section 3. Continuation. In all other respects, the Land Development Ordinance of the Township of Readington shall remain unchanged.

Section 4. Severability. If any portion of this Ordinance is for any reason held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole, or any other part thereof. Any invalidation shall be confined in its operation to the section, paragraph, sentence, clause, phrase, term, or provision or part there of directly involved in the controversy in which such judgment shall have been rendered.

Section 5. Interpretation. If the terms of this Ordinance shall be in conflict with those of another Ordinance of the Code of the Township of Readington, then the restriction which imposes the greater limitation shall be enforced.

Section 6. Repealer. All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency only.

Section 7. Enactment. This Ordinance shall take effect upon the filing thereof with the Hunterdon County Planning Board after final passage, adoption, and publication by the Township Committee of the Township of Readington in the manner prescribed by law.

A MOTION was made by Mr. Auriemma to introduce this ordinance, seconded by Mr. Tropello 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 September 8, 2015 at 7:45 p.m.

2. ***Request to Hold Coin Toss Fundraiser / East Whitehouse Fire Company***
(July 25th with a rain date of July 26th)

A ***MOTION*** was made by Mr. Auriemma to approve the East Whitehouse Fire Department Coin Toss Fundraiser, seconded by Mr. Trepello with a vote of ayes all, nays none recorded.

- * 3. ***Catering Affair Permit / Festival of Ballooning / Gold N Dough Boys***
(July 24th through July 26th)

This matter was addressed under the Consent Agenda.

- * 4. ***Release of Board of Health Escrow (Block 28, Lot 24 / 50 School Road)***

This matter was addressed under the Consent Agenda.

- * 5. ***Award of Bond Anticipation Notes***

This matter was addressed under the Consent Agenda.

- * 6. ***Resolution to Reject the Single Bid from Kodiak Rod & Gun Club for Hunting on Block 21, Lot 30 (US Highway 22 East)***

This matter was addressed under the Consent Agenda.

- * 7. ***Resolution to Reject the Single Bid from Kodiak Rod & Gun Club for Hunting on Block 52.01, Lot 14.06 (Cole Road)***

This matter was addressed under the Consent Agenda.

- * 8. ***Resolution to Reject the Single Bid from Kodiak Rod & Gun Club for Hunting on Block 25, Lot 50 (Dreahook Road)***

This matter was addressed under the Consent Agenda.

- * 9. ***Resolution to Reject the Higher Bid from Kodiak Rod & Gun Club for Hunting on Block 55, Lot 13.51 (Pinebank Road) and Award the Hunting Lease to the Pines Road and Gun Club, the Second Highest Bidder***

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 reported that the Sewer Advisory Committee meeting will take place tomorrow evening.

COMMITTEE REPORTS

Thomas Auriemma

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

John Broten

Mr. Broten reported reclamation was completed on Ridge Road from the railroad track to Route 22 last week, as well as continuing to move forward with Ten Eck and Naraticong.

Mr. Broten gave an update on the status of the Transco pipeline.

M. Elizabeth Duffy

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

Betty Ann Fort

Mrs. Fort reported that the Museums will be displaying the *Egg History in Readington* in the Municipal Building lobby.

Samuel Tropello

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

COMMENTS FROM THE PUBLIC

Bob Schoenfeld, Oldwick Road, commented on the data center language on the newly introduced ordinance.

Bill Goodwin, Barkelow Road, requested clarification on the PSE&G power lines as to whether they are strictly the high tension lines.

Richard Allen, Hillcrest Road, commented that in the PSE&G agreements it is their right to maintain the vegetation at a height of less than three (3) feet under power lines and within the easement. Mr. Allen stated that he has been approached by PSE&G to use pesticides/herbicides and they have exercised their right to refuse indicating that there are several other options to achieve to the same results.

COMMENTS FROM THE GOVERNING BODY

Mr. Broten addressed the comment made by Mr. Scammel earlier regarding the process for handling petitions presented to the Governing Body. Administrator Mekovetz clarified that any petitions presented to the Governing Body are to be given to her for the record.

As there was no further business, ***A MOTION*** was made by Mrs. Duffy at 9:04 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