

**READINGTON TOWNSHIP COMMITTEE  
MEETING – November 16, 2015**

Mayor Fort *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 B. Fort, Deputy Mayor T. Auriemma, Mr. J. Broten, Mrs. M. Duffy  
Mr. S. Tropello

**ALSO PRESENT:** Administrator Mekovetz, Attorney S. Dragan, Engineer R. O'Brien (*Executive Session Only*)

**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**

<b><u>Subject Matter</u></b>	<b><u>Basis Of Public Exclusion</u></b>	<b><u>Date Anticipated When Disclosed to Public</u></b>
Engineer.....	Personnel.....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Department of Public Works.....	Personnel.....	“ “ “
Police Department.....	Personnel.....	“ “ “
Township Policies.....	Attorney-Client Privilege.....	“ “ “
Executive Session Minutes..... • November 2, 2015	Attorney-Client Privilege.....	“ “ “
Affordable Housing.....	Potential 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.”

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 7:35p.m.

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

Mayor Fort presented an award posthumously to Kevin Devine, founder of the Readington Township Dog Park.

***Executive Session:***

***Personnel / Engineer***

Mayor Fort stated that this matter remains in Executive Session.

***Personnel / Department of Public Works***

A **MOTION** was made by Mrs. Duffy to hire Brian Apgar for the position of full-time laborer at a salary rate of \$20.16 per hour, 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

***Personnel / Police Department***

A **MOTION** was made by Mr. Auriemma to accept the retirement of Vincent Corsentino effective April 1, 2016, seconded by Mr. Broten with a vote of ayes all, nays none recorded.

A **MOTION** was made by Mr. Auriemma to authorize Administrator Mekovetz to advertise for the replacement of Vincent Corsentino, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

***Attorney-Client Privilege / Township Policies***

Mayor Fort stated that this remains in Executive Session.

***Attorney-Client Privilege / Executive Session Minutes / November 2, 2015***

A **MOTION** was made by Mr. Broten to approve the Executive Session Minutes of November 2, 2015 for content only, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

***Potential Litigation / Mt. Laurel Affordable Housing***

A **MOTION** was made by Mrs. Duffy to authorize Township Planner Michael Sullivan and Engineer Rob O'Brien to work on sites specific Waste Water Management Plan amendments for Block 36, Lot 5, 5.01 and 5.04, as well as Block 21.13, Lot 12, seconded by Mr. Broten 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 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. ***Resolution Authorizing the Special Tax Counsel for the Township of Readington to Enter into a Stipulation of Settlement Relative to the Tax Appeal Captioned: Diversity Management, LLC vs. Readington Township, Tax Court of New Jersey, Docket No. 008467-2014 and 0019333-2015***

The following resolution was offered for consideration:

**#R-2015-132**

***RESOLUTION AUTHORIZING THE SPECIAL TAX COUNSEL FOR THE TOWNSHIP OF READINGTON TO ENTER INTO A STIPULATION OF SETTLEMENT RELATIVE TO THE TAX APPEAL CAPTIONED: DIVERSITY MANAGEMENT, LLC vs. READINGTON TOWNSHIP, TAX COURT OF NEW JERSEY, DOCKET NO. 008467-2014 AND 0019333-2015.***

**WHEREAS**, DIVERSITY MANAGEMENT, LLC (“DIVERSITY”) is the owner of property shown as Block 19, Lot 2 on the Township of Readington’s Tax Assessment Maps, commonly known as 372 Route 22 (“Property”); and

**WHEREAS**, DIVERSITY filed appeals of their 2014 and 2015 tax year assessments in the Tax Court of New Jersey, Docket Nos. 008467-2014 and 001933-2015; and

**WHEREAS**, the Township Committee of the Township of Readington met and discussed the aforesaid tax appeals and the recommendations of its Township Tax Assessor and Special Tax Counsel; and

**WHEREAS**, the Township Tax Assessor has reviewed the market value of the Property and in light of that market, including issues relating to vacancies at the subject property, she recommends the settlement; and

**WHEREAS**, the parties have agreed to an acceptable settlement of all of the aforesaid tax appeals which withdraws the tax appeal and affirms the tax assessment for the 2014, reduces the tax assessment levied upon the Property for the 2015 tax year, and adjusts “on the books” the 2016 tax assessment for the Property; and

**WHEREAS**, the Township Committee has reviewed the proposed Stipulation of Settlement; and

**WHEREAS**, the 2015 total tax assessment, based upon said reduction for the Property will be \$1,246,000 instead of \$1,800,000; and

**WHEREAS**, the 2016 total tax assessment on the Property shall be set on the assessment books at \$1,200,000, subject to revision for casualty pursuant to *N.J.S.A. 54:4-35.1*, that the Assessor has the right to file added or omitted assessments if warranted and that DIVERSITY shall have the right to file a tax appeal to provide Freeze Act protection, all as more specifically provided for in the Stipulation of Settlement; and

**WHEREAS**, DIVERSITY represents that the property is not currently under contract of sale; and

**Resolution #R-2015-132 cont'd:**

**WHEREAS**, the taxpayer agrees to waive pre-Judgment interest on any refunds on the condition that the refund is paid within ninety (90) days of the receipt by the Township Tax Collector of the Judgment and that all tax overpayments shall be paid by refund check made jointly payable to “Law Office of Nathan Wolf and Diversity Management”, and forwarded to Chad E. Wolf, Esq.; and

**WHEREAS**, the Township Committee makes this settlement with DIVERSITY, without prejudice to its dealing with any other Readington Township’s taxpayers’ request for tax assessment reduction.

**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 Township of Readington’s Tax Assessor is hereby directed to establish the allocation between land and improvements of a \$554,000.00 total tax assessment reduction for the 2015 tax year for Block 19, Lot 2, and which sets the 2016 total cumulative tax assessment at \$1,200,000 and allocates that total tax assessment between land and improvements, all of which are most beneficial to the Township of Readington and advise the Special Tax Counsel of those allocation.
  2. The Special Tax Counsel is hereby authorized to execute a Stipulation of Settlement relative to the tax appeal of DIVERSITY MANAGEMENT, LLC, Docket Nos. 008467-2014 and 001933-2015, which affirms the 2014 assessment; which reduces the 2015 total tax assessment on Block 19, Lot 2 from \$1,800,000.00 to a reduced total tax assessment of \$1,246,000; which further provides that the total assessment on Block 19, Lot 2 shall be set by the Township Tax Assessor at \$1,200,000; and which further provides that pre-Judgment interest is waived on any refunds on the condition that the refund is paid within ninety (90) days of the receipt by the Tax Collector of the Township of Readington of the relevant Judgment; and that all tax overpayments shall be paid by refund check made jointly payable to “Law Office of Nathan Wolf and Diversity Management,” and forwarded to Chad E. Wolf, Esq., 673 Morris Avenue, Springfield, New Jersey 07081; and that the allocations between land and improvements as established by the Township Tax Assessor shall be set forth in said Stipulation of Settlement.
  3. The settlement outlined above shall be without prejudice to the Township of Readington’s dealings with any other Township taxpayers’ request for tax assessment reductions.
- \* 2. **Resolution for Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the School Road Project**

The following resolution was offered for consideration:

**#R-2015-131**

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SCHOOL ROAD PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Township Committee of the Readington Township formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor and Administrator/Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-School Road -00504 to the New Jersey Department of Transportation on behalf of the Township of Readington

**Resolution #R-2015-131 cont'd:**

**BE IT FURTHER RESOLVED** that the Mayor and Administrator/Municipal Clerk are authorized to sign the grant agreement on behalf of the Township of Readington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

- \* 3. **Release of Board of Health Escrow / Jud (Block 72, Lot 18.01)**
- \* 4. **Release of Soil Witness Fees / Whitlock (Block 36, Lot 33)**
- \* 5. **Release of Developers Escrow / WalMart (Block 36, Lot 33)**
- \* 6. **Release of Developers Escrow / Anderson House (Block 72, Lot 18.01)**
- \* 7. **Blue Light Permits**
  - ◆ Jonathan Mahler
  - ◆ Kyle Lasinski
- \* 8. **Tax Lien Redemption**

The following resolution was offered for consideration:

**READINGTON TOWNSHIP**

**HUNTERDON COUNTY, STATE OF NEW JERSEY**

**RESOLUTION**

**WHEREAS**, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 98, Lot 2.50 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 \$18,544.27, plus a premium paid in the amount of \$36,100.00, known as Tax Sale Certificate #2015-021, to the lienholder, MTAG as Custodian for Alterna Funding II, LLC.

- \* 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	\$ 522,517.59
SEWER APPROPRIATIONS	5-02	\$ 340.00
TRUST FUNDS	X-03	\$ 193,273.47
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 88,346.73
PAYROLL DEDUCTIONS	X-06	<u>\$ 142,968.63</u>
<b>TOTAL OF ALL FUNDS</b>		<b>\$ 947,446.42</b>

A **MOTION** was made by Mr. Auriemma to approve the Consent Agenda, 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

**APPROVAL OF THE MINUTES** of meeting of November 2, 2015

A **MOTION** was made by Mrs. Duffy to approve the version of the minutes of the November 2, 2015 meeting with the summary of comments at the end, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

**COMMENTS FROM THE PUBLIC** for items listed on the agenda only

There were none.

**PUBLIC HEARINGS**

As it was after 7:45 p.m., A **MOTION** was made by Mr. 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 APPROPRIATING \$135,000 FROM THE HOUSING TRUST FUND FOR THE ACQUISITION OF AN AFFORDABLE HOUSING UNIT (BLOCK 21.06, LOT 302.04) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY***

***ORDINANCE # 10-2015***

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

Clerk read by Title:

***AN ORDINANCE APPROPRIATING \$135,000 FROM THE HOUSING TRUST FUND FOR THE ACQUISITION OF AN AFFORDABLE HOUSING UNIT (BLOCK 21.06, LOT 302.04) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY***

***ORDINANCE # 10 -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

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

Clerk read by Title:

***An Ordinance Amending the 2015 Salary Ordinance,  
Specifically Section 3 Known as Clerical Personnel***

***ORDINANCE #11-2015***

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

Clerk read by Title:

***An Ordinance Amending the 2015 Salary Ordinance,  
Specifically Section 3 Known as Clerical Personnel***

***ORDINANCE #11-2015***

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. Memorandum dated October 27, 2015 from Sharon Brienza, Municipal Clerk, Township of Branchburg regarding ***An Ordinance Amending the Land Development Ordinance of the Township of Branchburg by Revising Steep Slope Categories and Development Approval Checklists.*** No action taken.
2. Letter dated October 26, 2015 from Mayor Daniel Mahler, Borough of Wanaque, regarding ***Resolution Petitioning the Governor and State Legislature to form a Commission to Explore the Elimination or Reduction of County Government in the State of NJ.*** No action taken.
3. Letter dated October 27, 2015 from Eleanor McGovern, Borough Administrator/Clerk regarding ***Resolution Supporting the Gateway Trans-Hudson Tunnel Project.*** No action taken.
4. Memorandum from Denise Filardo, Planning Board Secretary regarding ***Adoption of the 2015 Reexamination of the Clinton Township Master Plan and Development Regulations Report.*** No action taken.
5. Resolution from the Township of Lebanon regarding ***Support of NJ Senate No. 650 and NJ Assembly No. 2408, Designating State Route 173 Between Clinton and Phillipsburg as “173<sup>rd</sup> Airborne Brigade Highway.”*** No action taken.

**NEW BUSINESS**

1. ***Draft Historic Structures Documentation Requirements for Demolition Permits –***  
Memorandum from the Historic Preservation Commission

A **MOTION** was made by Mrs. Duffy to authorize Attorney Dragan to draft an ordinance requiring documentation of historic structures prior to demolition permits being issued, in accordance with the draft historic structures documentation requirements presented by the Historic Preservation Commission, seconded by Mr. Auriemma, with a vote of four (4) ayes, one (1) nay by Mr. Tropello.

- \* 2. ***Resolution Authorizing the Special Tax Counsel for the Township of Readington to Enter into a Stipulation of Settlement Relative to the Tax Appeal Captioned: Diversity Management, LLC v.s Readington Township, Tax Court of New Jersey, Docket No. 008467-2014 and 0019333-2015***

This matter was addressed under the Consent Agenda.

- \* 3. ***Resolution for Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the School Road Project***

This matter was addressed under the Consent Agenda.

- \* 4. ***Release of Board of Health Escrow / Jud (Block 72, Lot 18.01)***

This matter was addressed under the Consent Agenda.

- \* 5. ***Release of Soil Witness Fees / Whitlock (Block 36, Lot 33)***

This matter was addressed under the Consent Agenda.

- \* 6. ***Release of Developers Escrow / WalMart (Block 36, Lot 33)***

This matter was addressed under the Consent Agenda.

- \* 7. ***Release of Developers Escrow / Anderson House (Block 72, Lot 18.01)***

This matter was addressed under the Consent Agenda.

- \* 8. ***Blue Light Permits***
  - ◆ Jonathan Mahler
  - ◆ Kyle Lasinski

This matter was addressed under the Consent Agenda.

**ADMINISTRATOR'S REPORT**

Administrator Mekovetz reported that she was informed last week that there will be a special School Election on January 26, 2016.

**ATTORNEY'S REPORT**

Attorney Dragan reported that she drafted the Haypress Cemetery agreement.

**COMMITTEE REPORTS**

**Thomas Auriemma**

Mr. Auriemma reported that he received an email commending the Township Halloween Trunk or Treat event hosted by the Recreation Department.

**John Broten**

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

**M. Elizabeth Duffy**

Mrs. Duffy reported that she has provided a copy of a proposed resolution with regard to Open Space Farmland Preservation and Historic Preservations Trust Fund Plan.

The following resolution was offered for consideration:

**#R-2015-133**  
**TOWNSHIP OF READINGTON**  
**RESOLUTION**

**WHEREAS**, the Hunterdon County Board of Freeholders have released a Draft Open Space, Farmland, Preservation, and Historic Preservation Trust Fund Plan, and

**WHEREAS**, this Draft Plan outlines various goals and recommendations for the use of the Hunterdon County's Open Space, Farmland Preservation, and Historic Preservation Trust Fund, which is replenished annually by revenue generated from a dedicated tax amounting to 3 cents per \$100 of assessed valuation, and

**WHEREAS**, this Open Space, Farmland Preservation, and Historic Preservation Trust Fund was created by an affirmative vote on a ballot question put to the Hunterdon County voters first in 1999 and more recently in 2009, and

**WHEREAS**, the Draft Plan recommends a shift in strategy from one that calls for the use of the dedicated funds for the acquisition and preservation of land to a strategy that utilizes funds for stewardship and maintenance of land and parks, and

**WHEREAS**, the Draft Plan, as currently written, does not guarantee any specified percentage of the trust fund to be set aside for the acquisition and preservation of Open Space, Farmland Preservation, and Historic Preservation in the years ahead as has been customary in the past, and

**WHEREAS**, certain recommendations in this Draft Plan suggest the use of these dedicated trust funds for purposes not authorized by the ballot question put to Hunterdon County voters.

**NOW THEREFORE BE IT RESOLVED** that the Readington Township Committee believes that the will of Hunterdon County voters is not well served by this Draft Open Space, Farmland Preservation, and Historic Preservation Trust Fund Plan, and

**NOW THEREFORE BE IT RESOLVED** that the Readington Township Committee requests that the Plan be revised to assure voters that the Trust Fund will be used, as it has historically been, for Open Space, Farmland Preservation, and Historic Preservation, that only a minimal, well-defined, percentage of the annual fund be used for park maintenance, and that no money will be spent on uses not specifically allowed by the voters.

A **MOTION** was made by Mrs. Duffy to adopt this resolution, seconded by Mr. Auriemma with a vote of four (4) ayes, one (1) nay by Mr. Tropello.

**Betty Ann Fort**

Mayor Fort reported that she would like to propose a replacement for James Horvath on the Museums Committee.

A **MOTION** was made by Mrs. Duffy to appoint Shelia Paciullo to the Museums Committee (for a term to expire 12/31/15) , seconded by Mr. Broten with a vote of ayes all, nays none recorded.

**Samuel Tropello**

Mr. Tropello reported that at the last Emergency Services meeting the volunteers were very appreciative of the recognition of the 25/50 years of service at the Volunteer dinner.

**COMMENTS FROM THE PUBLIC**

Jerry Cook, Railroad Lane, commented on the open space resolution and congratulated the recently elected members.

Debbie Pacone commented on the open space in Readington.

Marsha Montgomery, Indian Run, commented on the Dog Park in Readington.

Todd Terricone, Lamington Road, asked if the Township has a Noise Control officer and about signage on Lamington Road.

**COMMENTS FROM THE GOVERNING BODY**

There were none.

As there was no further business, A **MOTION** was made by Mrs. Duffy at 8:34 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