

**READINGTON TOWNSHIP COMMITTEE
MEETING – September 6, 2016**

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 M. Duffy, Mr. J. Broten and Mr. B. Smith

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan, Engineer O’Brien

ABSENT: Mr. S. Tropello

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>
Three Bridges Library	Personnel.....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Municipal Shared Services Agreement..... Vicinage 13 (Somerset, Hunterdon and Warren Counties)	Contract Negotiations.....	“ “ “
Transcontinental Pipeline.....	Contract Negotiations.....	“ “ “
Executive Session Minutes..... • August 1, 2016	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.....	“ “ “
Solberg Aviation v. Township of Readington Civil Action (Prerogative Writ)	Litigation.....	“ “ “
388 Route 22 Readington Realty Holdings, LLC vs. Twp. of Readington	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. Broten to adopt this resolution, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:11 p.m.

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

Executive Session:

Personnel / Three Bridges Library

A **MOTION** was made by Mr. Broten to appoint Jean Vitale as the Librarian of the Three Bridges Library at an hourly rate of \$22 for 29 hours a week, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Smith	- Aye
Mayor Fort	- Aye

A **MOTION** was made by Mr. Broten to authorize Administrator Mekovetz to advertise for the position of a part-time librarian assistant for Three Bridges Library for fifteen (15) hours per week, seconded by Mrs. Duffy and on Roll Call vote the following was recorded:

Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Smith	- Aye
Mayor Fort	- Aye

Contract Negotiations / Municipal Shared Services Agreement / Vicinage 13 (Somerset, Hunterdon and Warren Counties)

A **MOTION** was made by Mrs. Duffy to accept the amendment to the defense agreement including an additional payment of \$5,000, seconded by Mr. Smith and on Roll Call vote the following was recorded:

Mr. Broten	- Aye
Mrs. Duffy	-Aye
Mr. Smith	- Aye
Mayor Fort	- Aye

Contract Negotiations / Transcontinental Pipeline

Mayor Fort stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / August 1, 2016

A **MOTION** was made by Mr. Smith to approve the Executive Session Minutes of August 1, 2016 for content only, seconded by Mr. Broten with a vote of ayes all, nays none recorded.

Potential Litigation / Affordable Housing

Mayor Fort stated that this matter was not discussed.

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 Fort stated that this matter was not discussed.

Litigation / Solberg Aviation v. Twp. of Readington Civil Action (Prerogative Writ)

Mayor Fort stated that this matter was not discussed.

Litigation / 388 Route 22 Readington Realty Holdings, LLC vs. Twp. of Readington

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 THE MINUTES** of meeting of August 1, 2016 and August 22, 2016

- * 2. ***Tax Refunds for Duplicate Payment***

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 refunds for property taxes:

<u>BLOCK/LOT</u>	<u>REFUND TO</u>	<u>REASON</u>	<u>AMOUNT</u>
<u>2015</u>			
2/14.06	Steven A. Varano, Atty Trust	Duplicate Payment	\$3,228.26
<u>2016</u>			
21.12/46.06	Jeremy R. & Amy Huneau	Duplicate Payment	\$4,322.27
39/20	Jerry A., Jr. & Karen H. Sinagra	Duplicate Payment	\$3,049.84
39/20 Q0624	Jerry A., Jr. & Karen H. Sinagra	Duplicate Payment	\$ 30.25

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

- * 3. ***Tax Exemption***

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, Readington Township owned property known as 408 South Branch Drive (Block 21.04, Lot 502.06), thus making the property exempt from property taxes, and

WHEREAS, Readington Township sold the property at a closing held on July 13, 2016.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, that property taxes due from January 1, 2016 – July 12, 2016, in the amount of \$1,295.31, are hereby cancelled.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Readington, that the amount of property taxes owed by the new owner for the period of July 13, 2016 – December 31, 2016 is \$1,171.49.

- * 4. **Release of Board of Health Escrow / Soil Witnessing Fees** (Strichek / Block 38, Lot 12)
- * 5. **Release of Board of Health Escrow** (Dandurand, Block 5, Lot 2)
- * 6. **Release of Hunting Lease Security Deposit**
 - ◆ Whitetail Acres (US Highway 22 Est / Block 21, Lot 30)
- * 7. **Release of Police Escrow** (Fiddler's Elbow)
- * 8. **Release of Police Escrow** (Festival of Ballooning, Inc.)
- * 9. **Release of Police Escrow** (Communications Construction Group)
- * 10. **Postponement of Mortgage / 406 South Branch Drive** (Schott)
- * 11. **Resolution to Authorize Approval of Deed Restriction for Affordable Housing Purposes from Karl and Caroline Erikson to Susan Leu for Property Known as Block 34, Lot 36.137 (109 Blue Flag Court)**

The following resolution was offered for consideration:

#R-2016-90

TOWNSHIP OF READINGTON
RESOLUTION

WHEREAS, the Township Committee has received a proposed deed from the Township's Municipal Housing Liaison for the transfer of a single family low income affordable housing unit currently owned by Karl Erikson and Caroline Erikson, husband and wife, having an address of 109 Blue Flag Court, Whitehouse Village in Readington Township, which deed contains affordable housing restrictions for the benefit of the Township; and

Resolution #R-2016-90 cont'd:

WHEREAS, the Township attorney has reviewed the form of deed, together with the mortgage documents to be signed by the new buyer Susan Leu and recommends approval of same

BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey hereby approves the deed restriction for affordable housing purposes contained in the proposed Deed from Karl Erikson and Caroline Erikson to Susan Leu for property known as Block 34, Lot 36.137 on the official Tax map of Readington Township, also known as 109 Blue Flag Court, together with all required mortgage and closing documents recommended/prepared by the Township's Municipal Housing Liaison and given to the Township of Readington as necessary for the sale of the property for use as affordable housing; and

BE IT FURTHER RESOLVED, that the Readington Township Mayor and or Deputy Mayor, Township Administrator/Clerk, Township Housing Officer and Township Attorney, as applicable, are authorized to execute and deliver such deed, and all other documents, instruments and papers and to take any and all other action as they or any of them deem necessary or appropriate for the purpose of transferring the aforesaid property for affordable housing purposes in accordance with the regulations known as the Uniform Housing Affordability Controls, N.J.A.C.·5:80-26.1 et seq., and any amendments thereto. In the event that any corrective documents are required to be placed of record in the future for the Township to receive the proper affordable housing credits under the Township's third round fair share plan, they are also authorized.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

- * 12. *Catering Affair Permit / Central NJ Jazz Festival / The Ship Inn*
(September 16th)
- * 13. *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	\$ 1,614.65
CURRENT FUND	6-01	\$ 1,553,899.14
SEWER APPROPRIATIONS	6-02	\$ 103,311.83
TRUST FUNDS	X-03	\$ 358,672.70
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 43,115.02
PAYROLL DEDUCTIONS	X-06	\$ 394,824.78
REG. & LOCAL SCHOOL TAX	X-07	\$5,425,974.17
2015 CAPITAL IMPROVEMENTS	X-16	<u>\$ 37,083.76</u>
TOTAL OF ALL FUNDS		\$7,918,496.05

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

- Mr. Broten -Aye
- Mrs. Duffy -Aye
- Mr. Smith - Aye
- Mayor Fort - Aye

COMMENTS FROM THE PUBLIC

There were none.

CORRESPONDENCE / OTHER INFORMATION

1. Notice to Public Service Electric and Gas Company Gas Customers from Alexander C. Stern, Esq., PSE&G regarding *the Matter of the Petition of Public Service Electric and Gas Company for an Approval of Changes in its Electric Green Programs Recovery Charge and its Gas Green Programs Recovery Charge*. No action taken.
2. Notice to Public Service Electric and Gas Company Gas Customers from Martin C. Weissman, Esq., PSE&G regarding *the Matter of the Petition of Public Service Electric and Gas Company to Revise its Weather Normalization Charge for the 2016-2017 Annual Period*. No action taken.
3. Letter dated August 1, 2016 from Mark Mader, Director, Rates & Regulatory Affairs -NJ, JCP&L, regarding *the Matter of the Proposed Transfer of Transmission Assets and Lease of Real Property Assets to Mid-Atlantic Interstate Transmission*. No action taken.
4. Letter dated July 18, 2016 from Sally Cheong, Manager, Tariff Activity, Rates & Regulatory Affairs -NJ, JCP&L, regarding *the Annual Universal Service Fund Compliance Filing*. No action taken.
5. Notice of Public Hearing from Brian MacLean, President, Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas regarding *a Petition Filed with the New Jersey Board of Public Utilities to Review its Periodic Basic Gas Supply Service Rate*. No action taken.
6. Notice of Public Hearing from Brian MacLean, President, Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas regarding *the Matter of the 2016-2017 Annual Compliance Filings for a Change in the Statewide Electric and Gas Permanent Universal Service Program Factors with in the Electric and Gas Societal Benefits Charge Rates*. No action taken.
7. Notice to Public Service Electric and Gas Company Gas Customers from Alexander C. Stern, Esq., PSE&G regarding *the Matter of Public Service Electric and Gas Company's 2016-2017 Annual BGSS Commodity Charge Filing for its Residential Gas Customers under its Periodic Pricing Mechanism and for Changes in its Balancing Charge*. No action taken.
8. Memorandum dated August 11, 2016 from Roberta Brassard, Municipal Clerk, Township of Tewksbury regarding *An Ordinance of the Township of Tewksbury, County of Hunterdon, State of NJ Amending Article VII of the Tewksbury Township Development Regulations Ordinance, Section 720 as Same Relates to Temporary Signs*. No action taken.
9. Letter dated August 23, 2016 from Mark Mader, Director, Rates & Regulatory Affairs-NJ regarding *the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2017*. No action taken.

NEW BUSINESS

1. *Application for Special Events Permit / St. Elizabeth Ann Seton*
– September 18, 2016

A **MOTION** was made by Mr. Broten to approve the Special Events Permit, seconded by Mr. Smith with a vote of ayes all, nays none recorded.

- * 2. *Release of Board of Health Escrow / Soil Witnessing Fees* (Strichek / Block 38, Lot 12)

This matter was addressed under the Consent Agenda.

- * 3. ***Release of Board of Health Escrow*** (Dandurand, Block 5, Lot 2)

This matter was addressed under the Consent Agenda.

- * 4. ***Release of Hunting Lease Security Deposit***
 - ◆ Whitetail Acres (US Highway 22 Est / Block 21, Lot 30)

This matter was addressed under the Consent Agenda.

- * 5. ***Release of Police Escrow*** (Fiddler’s Elbow)

This matter was addressed under the Consent Agenda.

- * 6. ***Release of Police Escrow*** (Festival of Ballooning, Inc.)

This matter was addressed under the Consent Agenda.

- * 7. ***Release of Police Escrow*** (Communications Construction Group)

This matter was addressed under the Consent Agenda.

- * 8. ***Postponement of Mortgage / 406 South Branch Drive*** (Schott)

This matter was addressed under the Consent Agenda.

- * 9. ***Resolution to Authorize Approval of Deed Restriction for Affordable Housing Purposes from Karl and Caroline Erikson to Susan Leu for Property Known as Block 34, Lot 36.137 (109 Blue Flag Court)***

This matter was addressed under the Consent Agenda.

- * 10. ***Catering Affair Permit / Central NJ Jazz Festival / The Ship Inn***
(September 16th)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR’S REPORT

Administrator Mekovetz reported that she signed a voucher in the amount of \$274,650 for the Green Acres Amawalk property.

Administrator Mekovetz also reported that the garbage contract expires this year but there is an option to renew for the next two (2) years.

ATTORNEY’S REPORT

Attorney Dragan stated that she had nothing further to report.

ENGINEER’S REPORT

Engineer O’Brien reported that a meeting was held regarding Foothill Road and they are looking into what it will take to do a traffic study which will then be provided to the DOT and County.

Engineer O'Brien reported that final plans to widen the bridge just beyond Halls Mill Road should be coming for the Committee's review and then a resolution will be needed from the Committee to support those plans.

COMMITTEE REPORTS

JOHN BROTEN

Mr. Broten reported that he drove several of the recently reclaimed roads, opining that they turned out great.

Mr. Broten also reported that he visited the libraries last week, adding that they provide a great little asset to our community.

M. ELIZABETH DUFFY

Mrs. Duffy reported that a letter was received from the Estate of Delane Lipka asking if the Township may be interested in purchasing a 1.3 acre parcel, adjacent to land already owned by the Township at Cole Road and she will be bringing this matter for discussion before the Open Space Advisory Committee.

BEN SMITH

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

BETTY ANN FORT

Mayor Fort reported that the Police Department acquired an MRAP (Mine Resistant Armor Plated) vehicle and its primary use will be for water rescue.

COMMENTS FROM THE PUBLIC

Wayne Borella, Foothill Road, commented that he wanted to again request consideration of a cul-de-sac, opining that many residents were not necessarily in favor of a one way road or suggested possibly paving it up to the bridge. Engineer O'Brien offered his expertise on some of the safety issues of paving a narrow road. Mayor Fort opined that at this point the Township is back to either leaving the road as is or paving it one way. Mayor Fort proposed sending a letter to the residents of Foothill Road to vote for their preference.

A MOTION was made by Mr. Broten to send a letter via *Registered Mail Return Receipt Requested* to poll those property owners fronting Foothill Road to determine their preference as to whether to pave Foothill Road one way subject to the determination of the traffic study or remain as a dirt road, seconded by Mr. Smith with a vote of ayes all, nays none recorded.

Scott Scammell, Dreahook Road, offered a suggestion to make the road at the end of Foothill Road by Or Chadash Reform Temple a two way to allow the congregants to enter and exit the parking area therefore eliminating much of the traffic during services.

COMMENTS FROM THE GOVERNING BODY

Mr. Broten commented that he would like to possibly see the entire agenda packet, without the executive session portion, available to the public on the Township website. Administrator Mekovetz reminded the Committee that the agenda is not made public until all Committee members have had an opportunity to review their material first.

A MOTION was made by Mr. Broten to make the public agenda packet available on the Township's website by noon on the day of the Committee meeting, seconded Mr. Smith with a vote of ayes all, nays none recorded.

Mayor Fort commented that the Merck contract that was in place with LHN Developers has been voided and the Township is currently seeking tenants that are community friendly and providing jobs to benefit the community as well.

As there was no further business, **A MOTION** was made by Mr. Smith at 7:55 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