

**READINGTON TOWNSHIP COMMITTEE
MEETING – October 3, 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, Mr. B. Smith and Mr. S. Tropello

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

ABSENT: None

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

WHEREAS, N.J.S.A. 10:4-6 *et seq.*, the Open Public Meetings Act, permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, the Township Committee is of the opinion that such circumstances presently exist and desires to authorize the exclusion of the public from the portion of the meeting in accordance with the act;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey as follows:

1. The public shall be excluded from discussion of and action upon the specified subject matter as set forth in the following Exhibit "A."

EXHIBIT A

<u>Subject Matter</u>	<u>Basis Of Public Exclusion</u>	<u>Date Anticipated When Disclosed to Public</u>
Bid Specifications / Cell Tower.....	Contract Negotiations.....	Certain information at the discretion of the Township Committee tonight...other information will remain confidential
Affordable Housing / Nelson Street.....	Contract Negotiations.....	“ “ “
Executive Session Minutes.....	Attorney-Client Privilege.....	“ “ “
• September 19, 2016		
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 Mrs. Duffy to adopt this resolution, seconded by Mr. Smith with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:53 p.m.

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

Executive Session:

Contract Negotiations / Bid Specifications / Cell Tower

A **MOTION** was made by Mr. Broten to authorize Attorney Dragan to finalize the bid terms for the cellular tower lease agreement, seconded by Mr. Smith and on Roll Call vote the following was recorded:

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

Contract Negotiations / Affordable Housing / Nelson Street

The following resolution was offered for consideration:

#R-2016-95

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, Ingerman Development Company, LLC and its assigns (hereinafter referred to as the “Sponsor”) proposes to construct and operate a 68-unit family affordable rental housing project, together with such other improvements as may be necessary in connection therewith, such as leasing offices, community meeting space, landscaping, curbing, and paving (hereinafter referred to as the “Project”), all pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the “HMFA Requirements”) within the Township of Readington (hereinafter referred to as the “Municipality”) on a site described as Block 32, Lot 12 and Block 34, Lots 8, 10, and 11 as shown on the Official Assessment Map of the Township of Readington, Hunterdon County, New Jersey; and

WHEREAS, the Projects will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, pursuant to the HMFA Requirements, the governing body of the Municipality has determined that there is a need for this housing project in the Municipality; and

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington (the “Committee”) that the Committee hereby authorizes and directs the Mayor of the Township of Readington to execute, on behalf of the Municipality, the Affordable Housing Agreement in substantially the form annexed hereto as Exhibit “A.” (On file in Clerk’s Office)

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

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

The following resolution was offered for consideration:

#2016-96

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Ingerman Development Company, LLC and its assigns (hereinafter referred to as the “Sponsor”) proposes to construct and operate a 68-unit family affordable rental housing project, together with such other improvements as may be necessary in connection therewith, such as leasing offices, community meeting space, landscaping, curbing, and paving (hereinafter referred to as the “Project”), all pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.), the rules promulgated thereunder at N.J.A.C. 5:80-1 et seq., and all applicable guidelines (the foregoing hereinafter referred to as the “HMFA Requirements”) within the Township of Readington (hereinafter referred to as the “Municipality”) on a site described as Block 32, Lot 12 and Block 34, Lots 8, 10, and 11 as shown on the Official Assessment Map of the Township of Readington, Hunterdon County, New Jersey; and

WHEREAS, the Project will be subject to the HMFA Requirements and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (hereinafter referred to as the “Agency”); and

WHEREAS, the Sponsor has presented to the Township Committee of the Township of Readington a revenue projection for the Project which sets forth the anticipated revenue to be received by the Sponsor from the operation of the Project as estimated by the Sponsor and the Agency, a copy of which is attached hereto and made a part hereof as Exhibit A (On file in Clerk’s Office).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Readington (the “Committee”) that:

- (1) The Committee does hereby adopt the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Requirements with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project; and
- (2) The Committee does hereby adopt the within Resolution with the further intent and purpose that from the date of execution of the Agency mortgage, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Requirements, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in such amounts and manner set forth in the Agreement for Payment in Lieu of Taxes attached hereto as Exhibit “B” (On File in Clerk’s Office); and
- (3) The Committee hereby authorizes and directs the Mayor of the Township of Readington to execute, on behalf of the municipality, the Agreement for Payments in Lieu of Taxes in substantially the form annexed hereto as Exhibit “B”; and
- (4) The Committee understands and agrees that the revenue projections set forth in Exhibit “A” are estimates and that the actual payments in lieu of taxes to be paid by the Sponsor to the Municipality shall be determined pursuant to the Agreement for Payments in Lieu of Taxes executed between the Sponsor and Municipality.

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

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

Attorney-Client Privilege / Executive Session Minutes / September 19, 2016

A **MOTION** was made by Mr. Smith to approve the Executive Session Minutes of September 19, 2016 for content only, seconded by Mrs. Duffy with a vote of ayes all, nays none recorded.

Potential Litigation / Affordable Housing

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 39, Lot 24 and Block 67, Lot 2

The following resolution was offered for consideration:

#R-2016-97

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LEGAL SERVICES***

WHEREAS, the Township of Readington has a need to acquire Legal Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Gebhardt & Kiefer, PC has submitted a proposal indicating they will represent the Township, under the direction of the Township Committee, in matters pertaining to the potential acquisition of Solberg Airport; and will perform all usual and customary legal services incident to such representation, and take ordinary measures required for the acquisition of this site, whether voluntary or otherwise, at a rate of \$335 per hour for Partners, \$285 per hour for Associates and \$120 per hour for Paralegals, not to exceed the amount appropriated for this service in the approved/ adopted budget. In addition, Gebhardt & Kiefer, PC shall retain all vendors or consultants necessary for such acquisition and shall pay all invoices and will be reimbursed for payments made upon submission of receipts.

WHEREAS, Gebhardt & Kiefer, PC has completed and submitted a Business Entity Disclosure Certification which certifies that Gebhardt & Kiefer, PC has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Gebhardt & Kiefer, PC from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*)

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Gebhardt & Kiefer, PC as described herein; and

Resolution #R-2016-97 cont'd:

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2016; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection; and

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

A **MOTION** was made by Mrs. Duffy to approve this resolution, seconded by Mr. Smith and on Roll Call vote the following was recorded:

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

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

Mayor Fort stated that this matter remains in Executive Session.

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

The following resolution was offered for consideration:

#2016-98

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SPECIAL LITIGATION COUNSEL SERVICES**

WHEREAS, the Township of Readington has a need to acquire Special Litigation Counsel Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44A-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

WHEREAS, Mason, Griffin & Pierson, PC has submitted proposal indicating he will act as Special Litigation Counsel at the following rates: Attorney – \$190 per hour in addition to lower rates for supporting personnel; for the following matters:

Re: *388 Readington Realty Holdings, LLC vs. Twp. of Readington, et als.*

for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that Kristina Hadinger, Esq. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Kristina Hadinger, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer’s Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*)

Resolution #R-2016-98 cont'd:

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Mason, Griffin & Pierson, PCLLC, as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2016; and

BE IT FURTHER RESOLVED, that copies of this Professional Service are on file with the Municipal Clerk and are available there for public inspection; and

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

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

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

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.

Mr. Broten requested to remove the *Payment of Bills* from the Consent Agenda to be addressed separately.

- * 1. **APPROVAL OF MINUTES** of meeting of September 19, 2016
- * 2. **Resolution Authorizing Contract for Purchase of Rock Salt for the 2016/17 Season** (Atlantic Salt)

The following resolution was offered for consideration:

#R-2016-99

**TOWNSHIP OF READINGTON
RESOLUTION**

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

WHEREAS, the Hunterdon County Board of Chosen Freeholders, in accordance with this agreement, has awarded the bid for rock salt to Atlantic Salt at a price of \$57.25 per ton, not to exceed \$148,850; and

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

Resolution #R-2016-99 cont'd:

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington does hereby award the contract for the purchase of rock salt for the 2016/2017 season (September 1, 2016 to August 31, 2017) to Atlantic Salt at a price of \$57.25 per ton.

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

- * 3. **Release of Hunting Lease Security Deposit**
 - ◆ Pines Rod and Gun Club (Pinebank Road / Block 55, Lot 13.51)

- * 4. **Release of Hunting Lease Security Deposit**
 - ◆ 7-Point Pines Hunt Club (Pleasant Run Road / Block 75, Lot 19.01 and Summer Road / Lot 15.01 and 16.02)

- * 5. **Resolution In Recognition of Raymond Leo Crisci III Attaining Eagle Scout**

The following resolution was offered for consideration:

#R-2016-100

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Raymond Leo Crisci III a valued member of his Boy Scout Troop, is a dedicated young man who has earned the respect and admiration of his fellow scouts through his active participation in the many programs sponsored by the Boy Scouts of America; and

WHEREAS, Eagle Scout Candidate Raymond Leo Crisci's Eagle Project involved reassembling and installing four (4) weather-proof Jamestown Advanced benches around the Outer Loop Trail at the New Jersey Hunterdon County Arboretum; and

WHEREAS, the Eagle Scout is the highest rank of recognition offered in Scouting; and

WHEREAS, on October 16, 2016 Raymond Leo Crisci III will be presented with the coveted Eagle Scout Award and is well deserving of this recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington hereby commends Eagle Scout Raymond Leo Crisci III for his diligence, determination, and dedication in pursuing the highest honor awarded by the Boy Scouts of America and congratulates him on attaining the rank of Eagle Scout.

- * 6. **Resolution In Recognition of Kyle Mattson Attaining Eagle Scout**

The following resolution was offered for consideration:

#R-2016-101

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Kyle R. Mattson a valued member of his Boy Scout Troop, is a dedicated young man who has earned the respect and admiration of his fellow scouts through his active participation in the many programs sponsored by the Boy Scouts of America; and

WHEREAS, Eagle Scout Candidate Kyle R. Mattson’s Eagle Project involved the design, construction and installation of three (3) benches along two trails in Readington Township; and

WHEREAS, the Eagle Scout is the highest rank of recognition offered in Scouting; and

WHEREAS, on September 25, 2016 Kyle R. Mattson will be presented with the coveted Eagle Scout Award and is well deserving of this recognition.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington hereby commends Eagle Scout Kyle R. Mattson for his diligence, determination, and dedication in pursuing the highest honor awarded by the Boy Scouts of America and congratulates him on attaining the rank of Eagle Scout.

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

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

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. Smith 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 and Supplement the Code of the Township of Readington, County of Hunterdon and State of New Jersey Pertaining to Fees for Township Parks, Recreation Areas and Museum Facilities and Certain Application Procedures for Use Thereof

◆ **Ordinance #11-2016**

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

Mr. Broten questioned if the fees were consistent with what was already in place with the Township prior to adopting this ordinance. Mayor Fort stated that this ordinance may be amended in the future to allow the Township to waive fees for various local scout groups requesting to use the facility on a regular basis; although Mr. Broten cautioned that this could also set precedent for other non-profits.

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

There were none.

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

Clerk read by Title:

An Ordinance Amending and Supplement the Code of the Township of Readington, County of Hunterdon and State of New Jersey Pertaining to Fees for Township Parks, Recreation Areas and Museum Facilities and Certain Application Procedures for Use Thereof

◆ **Ordinance #11-2016**

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

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

CORRESPONDENCE / OTHER INFORMATION

1. Memorandum dated September 14, 2016 from Roberta Brassard, Municipal Clerk, Township of Tewksbury regarding ***An Ordinance of the Township of Tewksbury, County of Hunterdon, State of New Jersey Amending Article VII of the Tewksbury Township Development Regulations Ordinance, Section 720 as same relates to Temporary Signs.*** No action taken.
2. Memorandum dated September 14, 2016 from Roberta Brassard, Municipal Clerk, Township of Tewksbury regarding ***An Ordinance of the Township of Tewksbury, County of Hunterdon, State of New Jersey to Amend and Supplement the Township of Tewksbury’s Development Regulations Ordinance, Specifically Article VII, “Zoning Provisions: to Permit an Increase in the Maximum Lot Coverage Standard as set forth in §§709, 710, and 710.1, and 710.2 pertaining to the HL Highlands District, LT Lamington District, FP Farmland Preservation District and the PM Piedmont District Respectively, and to Amend §706 “Exemptions” to Likewise Reflect Modified Maximum Lot Coverage Standards.*** No action taken.
3. Letter dated September 19, 2016 from Shana Goodchild, Land Use Administrator, Township of Tewksbury regarding ***Master Plan Public Hearing Housing Element and Fair Share Plan of the Township’s Master Plan.*** No action taken.
4. Notice of Public Hearings from Brian MacLean, President, Pivotal Utility Holdings, Inc. d/b/a/ Elizabethtown Gas regarding ***Proposed Energy Efficiency Program Rider Rate Increases and other Tariff Changes.*** No action taken.
5. Notice of Public Hearings from Brian MacLean, President, Pivotal Utility Holdings, Inc. d/b/a/ Elizabethtown Gas regarding ***A Petition filed with NJ Board of Public Utilities to revise its Weather Normalization Clause, its Clean Energy Program component of the Societal Benefit Charge and its On-System Margin Sharing Credit.*** No action taken.

NEW BUSINESS

1. ***An Ordinance Amending the Land Development Ordinance of the Township of Readington, Hunterdon County, New Jersey of December 1992 as heretofore Supplemented and Amended***

Mr. Smith explained that this ordinance is an amendment to minor site plans, making it easier for local businesses to make minor changes without having to do a costly full site plan. Mr. Broten requested further clarification on the reasoning behind the ordinance. Attorney Dragan suggested having Township Planner Michael Sullivan attend the Public Hearing to answer any questions that may arise.

The following ordinance was offered for introduction:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF READINGTON, HUNTERDON COUNTY, NEW JERSEY, OF DECEMBER 1992 AS HERETOFORE SUPPLEMENTED AND AMENDED

Ordinance # 12-2016

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 definition of Minor Site Plan; and

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the Township of Readington, in the County of Hunterdon, State of New Jersey as follows:

SECTION 1. The following new provisions regulating the definition of Minor Site Plan shall be added to Article II, “Definition of Terms” of the Land Development Ordinance of the Township of Readington, Hunterdon County, New Jersey, of December 1992 [additions are indicated thus; deletions are indicated ~~thus~~]:

Article II “Definitions of Terms”
§148-9 Definitions

SITE PLAN

A development plan of one or more lots on which is shown the existing and proposed conditions of the lot, including but not limited to topography, vegetation, drainage, floodplains, marshes and waterways; the location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping, structures and signs, lighting, screening devices; and any other information that may be reasonably required in order to make an informed determination pursuant to this chapter and Article 6, N.J.S.A. 40:55D-37 et seq.

A. MINOR SITE PLAN

~~A any development plan of one or more lots which~~ for a single lot that is limited to the proposed construction of ~~a any~~ permitted accessory use(s) ~~other than fences and signs, such as a home occupation or off-street parking area, as such accessory uses are specifically permitted in Article IV of this chapter or~~ a any development plan consisting of an expansion of, or an addition to, an existing conforming structure and/or use not exempted from site plan review by §148-98B of this chapter and not exceeding \$50,000 for the total estimated cost of the improvement and not exceeding 1,500 square feet of total additional ~~lot~~ impervious coverage, ~~provided that such development plan does~~ A minor site plan shall not involve a planned development, variances from the applicable provisions of this chapter, the installation of any road improvements or the expansion of public facilities or infrastructure, and ~~does not adversely affect the development of an adjoining property or properties. —~~ The construction of a fence or sign shall not require a minor site plan.

Ordinance #12-2016 cont'd:

B. MAJOR SITE PLAN

Any site plan not classified as a minor site plan.

SECTION 2. Severability. If any paragraph, section, subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining paragraphs or sections hereof.

SECTION 3. Inconsistency. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4. Effective Date. This ordinance shall take effect immediately upon final passage and publication thereof according to law and upon filing with the Hunterdon County Planning Board.

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

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

The Public Hearing was scheduled for October 17, 2016 at 7:45 p.m.

2. ***An Ordinance Amending Chapter 148 Entitled “Land Development” of the Code of the Township of Readington to Add a New Section §148-97D Establishing a Waiver of Site Plan Review Procedure and Amending §148-104 to Establish a Fee for Waiver of Site Plan Review Request***

The following ordinance was offered for introduction:

AN ORDINANCE AMENDING CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON TO ADD A NEW SECTION §148-97D ESTABLISHING A WAIVER OF SITE PLAN REVIEW PROCEDURE AND AMENDING §148-104 TO ESTABLISH A FEE FOR A WAIVER OF SITE PLAN REVIEW REQUEST.

Ordinance # 13-2016

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 believes a waiver of site plan review for certain types of minor projects, which are likely to be less impacting, will promote economic development within the Township; and

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the Township of Readington, in the County of Hunterdon, State of New Jersey as follows:

SECTION 1. A new Section within Article X, §148-97D “Waiver of Site Plan Review” shall be added as follows [additions are indicated thus; deletions are indicated ~~thus~~]:

Ordinance #13-2016 cont'd:

§148-97 Application review procedures

D. Waiver of Site Plan Review

- (1) The Planning Board may waive the requirement of site plan review, in part or in its entirety, if the Board finds that the proposed development:
 - a. Secured previous site plan approval under the terms of this title and the proposed development will have insignificant impact on the previously approved site plan;
or
 - b. Involves normal repair, maintenance or replacement; or
 - c. Will not significantly affect existing circulation, parking, drainage, building arrangements, plantings, buffering, lighting and other considerations of site plan review as required under §148-101, §148-102, or §148-103; or
 - d. Does not involve variances from the applicable provisions of this chapter.
- (2) An applicant requesting such a waiver shall provide to the Zoning Officer:
 - a. Three (3) copies of the appropriate application(s), which includes the checklist(s) pursuant to N.J.S.A. 40:55D-10.3 attached to this chapter.
 - b. An approved site plan, if one exists, along with the resolution of approval for said plan.
 - c. If no previous site plan approval exists, a property survey showing the existing conditions and any proposed improvements and/or site development.
 - d. A written description and plan, along with any other additional information (i.e. photographs, details, etc.) of the proposed operation and use that will assist the Board in its review.
 - e. A written description of, and grounds for, waiver request.
- (3) Upon review, the Zoning Officer shall make a recommendation to the Planning Board in regards to the Waiver of Site Plan Review request.

SECTION 2. An amendment to Article XI, §148-104A(1) “Subdivision and site plan schedule” is hereby amended to establish the fees for a waiver of site plan review as follows:

	Application Charge	Plus	Development Review Escrow Account
<u>Waiver of Site Plan Review</u>	<u>\$100.00</u>		<u>\$1,000.00</u>

SECTION 3. Severability. If any paragraph, section, subsection, sentence, clause, phrase or portion of this Article is for any reason held invalid or unconstitutional by any Court or administrative agency of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining paragraphs or sections hereof.

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

Ordinance #13-2016 cont'd:

SECTION 5. Effective Date. This ordinance shall take effect immediately upon final passage and publication thereof according to law and upon filing with the Hunterdon County Planning Board.

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

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

The Public Hearing was scheduled for October 17, 2016 at 7:45 p.m.

3. ***Application for Special Events Permit*** – Pelican Swim & Ski (October 7th through November 3rd)

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

4. ***Application for Special Events Permit*** – Salem Family Realty (October 12th through October 17th)

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

- * 5. ***Resolution Authorizing Contract for Purchase of Rock Salt for the 2016/17 Season*** (Atlantic Salt)

This matter was addressed under the Consent Agenda.

- * 6. ***Release of Hunting Lease Security Deposit***
♦ Pines Rod and Gun Club (Pinebank Road / Block 55, Lot 13.51)

This matter was addressed under the Consent Agenda.

- * 7. ***Release of Hunting Lease Security Deposit***
♦ 7-Point Pines Hunt Club (Pleasant Run Road / Block 75, Lot 19.01 and Summer Road / Lot 15.01 and 16.02)

This matter was addressed under the Consent Agenda.

- * 8. ***Resolution In Recognition of Raymond Leo Crisci III Attaining Eagle Scout***

This matter was addressed under the Consent Agenda.

- * 9. ***Resolution In Recognition of Kyle Mattson Attaining Eagle Scout***

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 requested consideration from the Committee for approval allowing Transco to install

A **MOTION** was made by Mr. Broten to approve Transco replacing the bat roost poles, seconded by Mr. Smith with a vote of ayes all, nays none recorded.

Attorney Dragan advised that she had done some research on the Round Mountain trail and will be forwarding that information to the Committee.

ENGINEER’S REPORT

Engineer O’Brien reported that the County is working to expand the bridge on 523, including adding two (2) left turn lanes and one (1) right turn lane off Halls Mill Road onto 523, as part of the improvements. Engineer O’Brien added that the plans will be available for the Committee to review.

Engineer O’Brien reported that the curbing on Potterstown Road was completed with the co-op contractor. Engineer O’Brien also reported that there was an agreement with the Governor to move forward with the DOT jobs.

Engineer O’Brien further reported that there is a tree within the right-of-way, on Route 22 near TD Bank, where the Ryland Inn would be installing a water main along Route 22 next to the bank property up to the Ryland Inn. Engineer O’Brien continued that although the tree is in the State right of way, they are requesting approval from the Township to remove the tree. Mrs. Duffy stated that she would like more information before providing any approval. Engineer O’Brien responded that he will send the plans to Administrator Mekovetz for the Committee to review.

COMMITTEE REPORTS

JOHN BROTEN

Mr. Broten reported that the County will be doing some work on Route 629 from 523 up to Stanton Mountain Road.

Mr. Broten asked for a status update on the easement on Brookview Road.

Mr. Broten expressed concern about unpaid bills, overspending the appropriated line item for legal expenses and cited portions of the New Jersey statute with regard to expenditures. Mr. Broten requested that Attorney Dragan provide a legal memorandum on whether or not the Township can continue to pay legal bills pursuant to the statute. Mr. Broten requested to have the *Payment of Bills* exclude the payment of legal expenses.

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	6-01	\$ 707,516.10
SEWER APPROPRIATIONS	6-02	\$ 105,986.83
TRUST FUNDS	X-03	\$ 13,090.11
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 8,081.64
PAYROLL DEDUCTIONS	X-06	\$ 140,121.66
REG & LOCAL SCHOOL TAX	X-07	\$ 2,449,760.00
2016 CAPITAL IMPROVE.	X-16	\$ <u>32,416.91</u>
TOTAL OF ALL FUNDS		\$ 3,456,973.25

A **MOTION** was made by Mrs. Duffy to approve the Payment of Bills as presented in their original form, seconded by Mr. Smith and on Roll Call vote the following was recorded:

- Mr. Broten -Nay
- Mrs. Duffy -Aye
- Mr. Smith -Aye
- Mr. Tropello -Nay

M. ELIZABETH DUFFY

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

BEN SMITH

Mr. Smith congratulated the two scouts, Raymond Leo Crisci III and Kyle Mattson, on attaining their Eagle Scout awards.

Mayor Fort commended the Police Department on their handling of a recent arrest last week.

SAMUEL TROPELLO

Mr. Tropello commented on the ROSI (Recreation Open Space Inventory) and the lack of transparency in the Green Acres program. Mrs. Duffy responded to comments made by Mr. Tropello with regard to open space preservation and donations of land.

BETTY ANN FORT

Mrs. Fort stated that she wanted to clarify a statement that she made at a previous meeting, explaining that the MRAP (Mine Resistant Armor Plated) vehicle is merely an additional tool to our highly trained rescue and fire personnel, and apologized for any misunderstanding.

COMMENTS FROM THE PUBLIC

Suzy Nagle, High Ridge Court, requested Attorney Dragan and Administrator Mekovetz to speak into the microphone since she had difficulty hearing them.

Mark Rosenberg, Clearview Road, commented on the statute cited by Mr. Broten and suggested that Attorney Dragan add “the incurring of legal fees” to her memorandum.

Donald Baldwin, Morning Star Road, asked about the legal expenses with regard to the summary judgment in the zoning litigation.

Neil Hendrickson, Glenmont Road, commented on the diseases that are affecting the ash trees and red and pin oaks in Readington Township and urged the Committee consider treating the trees before they die.

COMMENTS FROM THE GOVERNING BODY

Mr. Broten requested that the recent decision from Judge Miller be posted on the Township website.

As there was no further business, **A MOTION** was made by Mrs. Duffy at 9:10 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