

**READINGTON TOWNSHIP COMMITTEE
MEETING – September 21, 2009**

Mayor Allen *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 J. Allen, Mrs. B. Muir, Mr. F. Gatti, Mr. G. Shamey

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan

ABSENT: Mr. T. Auriemma

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 Anticipate When Disclosed to Public</u>
Code Enforcement.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will remain confidential
Hanna Saqa (Block 75, Lot 33)/..... Hunterdon County	Contract Negotiations.....	“ “ “
Amawalk(Block 93, Lot 1).....	Contract Negotiations.....	“ “ “
Municipal Court/Shared Services...	Contract Negotiations.....	“ “ “
Tort Claim (Buterbaugh).....	Litigation.....	“ “ “
Executive Session Minutes..... (September 8, 2009)	Attorney-Client Privilege.....	“ “ “
Block 48, Lot 23; Block 55, Lot 33, Block 56, Lots 1, 3, 6 & 8; Block Lot 24 and Block 67, Lot 2 (Solberg Aviation/Hromoho)	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. Muir to adopt this resolution, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

The meeting reconvened 7:40 p.m.

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

Mayor Allen announced that the following business was completed during Executive Session:

Personnel/Code Enforcement

A **MOTION** was made by Mr. Shamey to hire Robert MacMaster for the position of Electrical Sub-Code Official at an hourly rate of \$33.37/hr not to exceed 21 hours per week effective September 29, 2009, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mr. Gatti - Aye
Mrs. Muir - Aye
Mr. Shamey - Aye
Mayor Allen - Aye

Contract Negotiations/Hanna Saqa (Block 75, Lot 33)/Hunterdon County

Attorney Dragan stated that the ordinance should be adopted first before a motion is made to approval the agreement of sale.

Contract Negotiations/Amawalk (Block 93, Lot 1)

Mayor Allen stated that this matter remains in Executive Session.

Contract Negotiations/Municipal Court/Shared Services

Mayor Allen stated that this matter remains in Executive Session.

Litigation/Tort Claim (Buterbuagh)

Mayor Allen stated that this matter remains in Executive Session.

Attorney-Client Privilege/Executive Session Minutes (September 8, 2009)

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes of September 8, 2009 for content only, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

Litigation/Block 48, Lot 23; Block 55, Lot 33; Block 56, Lot 1, 3, 6 & 8; Block 39, Lot 24 and Block 67, Lot 2 (Solberg Aviation/Hromoho)

Mayor Allen stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Allen read the following statement:

All items listed with an asterisk “p” 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.

p1. **APPROVAL OF MINUTES** of meeting of September 8, 2009

Administrator Mekovetz requested that the minutes of the September 8, 2009 meeting be removed from the Consent Agenda for a minor correction.

ρ2. Tax Lien Redemption – Block 74/Lot 20

The following resolution was offered for consideration:

RESOLUTION

READINGTON TOWNSHIP, HUNTERDON COUNTY

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 74, Lot 20 known as Tax Sale Certificates #597 and,

WHEREAS, it is the desire of the Tax Collector to refund to the lien holder the redemption amount,

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$7,388.24 plus a premium paid in the amount of \$4,000.00 to the lien holder, US Bank-Cust/SASS Muni V. dtr.

ρ3. Tax Refunds - overbilling

The following resolution was offered for consideration:

**READINGTON TOWNSHIP
 HUNTERDON COUNTY, STATE OF NEW JERSEY
 RESOLUTION**

WHEREAS, the Tax Collector has recommended the following refunds:

<u>BLOCK/LOT</u> <u>2009</u>	<u>REFUND TO</u>	<u>REASON</u>	<u>AMOUNT</u>
36/45	Hionis, Spiros Angeliki	overbill	\$2,284.70
95/12.343	Zook, Gary	overbill	\$ 268.20
95/12.344	Fisher, Dorothy	overbill	\$ 275.79
95/12.345	Firestone, Leigh	overbill	\$ 244.20
95/12.346	McLaughlin, Michael	overbill	\$ 188.74
95/12.348	Krachun, Regina	overbill	\$ 275.79
97/5Q	Rycyk, Pauline	overbill	\$ 20.17

NOW, THEREFORE, BE IT RESOLVED BY the Township Committee that the Township Treasurer be authorized to refund the amounts recommended.

ρ4. **Firemen’s Membership Application** – Matthew R. Williams

ρ5. **Blue Light Permit** – Lawrence Fogg

ρ6. **Payment of Bills**

Fund Description	Fund No.	Received Total
CURRENT FUND	9-01	\$1,064,194.57
TRUST FUNDS	X-03	\$ 15,775.25
2004 CAPITAL APPROP.	X-04	\$ 1,186.54
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 46,892.62
PAYROLL DEDUCTIONS	X-06	\$ 186,847.17
DUE TO STATE OF NJ	X-09	\$ 41,214.00
2006 ORDINANCES	X-66	\$ 46,871.00
2008 ORDINANCES	X-88	<u>\$ 10,813.49</u>
TOTAL OF ALL FUNDS		\$ 1,413,794.64

A **MOTION** was made by Mr. Shamey to approve the Consent Agenda without the approval of the minutes, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

- Mr. Gatti - Aye
- Mrs. Muir - Aye
- Mr. Shamey - Aye
- Mayor Allen - Aye

A **MOTION** was made by Mrs. Muir to approve the minutes of the September 8, 2009 meeting with a correction that the meeting began at 6:00 p.m., seconded by Mr. Gatti and on Roll Call vote the following was recorded:

- Mr. Gatti - Aye
- Mrs. Muir - Aye
- Mr. Shamey - Aye
- Mayor Allen - Aye

PUBLIC HEARINGS

As it was after 8:00 p.m., A **MOTION** was made by Mrs. Muir adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN AGRICULTURAL DEVELOPMENT RIGHTS EASEMENT ON PROPERTY KNOWN AS BLOCK 75, LOT 33 TO THE COUNTY OF HUNTERDON FOR FARMLAND PRESERVATION

ORDINANCE # 25-2009

Mayor Allen stated that this property is a 116 acre farm on Pleasant Run Road contiguous to an open space property. Mayor Allen stated that the certified value was \$22,000 per acre which will be funded 60% by the State through the Planning Incentive Grant, 20% by the County for a total of 80% of the value of the easement. Mayor Allen stated that Readington will be responsible for the balance of the 20% of the value of the easement plus an additional \$1,000 an acre that was negotiated over and above the certified value.

Mayor Allen asked if there were any comments from the Governing Body.

There were none.

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

Ted Peters, of County Line Road, questioned the value of the land.

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

Clerk read by Title:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN AGRICULTURAL DEVELOPMENT RIGHTS EASEMENT ON PROPERTY KNOWN AS BLOCK 75, LOT 33 TO THE COUNTY OF HUNTERDON FOR FARMLAND PRESERVATION

ORDINANCE # 25-2009

A **MOTION** was made by Mr. Shamey to adopt this Ordinance, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mr. Gatti - Aye
Mrs. Muir - Aye
Mr. Shamey - Aye
Mayor Allen - Aye

A **MOTION** was made by Mrs. Muir to approve the contract for Block 75, Lot 33 with the County of Hunterdon for farmland preservation, seconded by Mr. Shamey and on Roll Call vote the following was recorded:

Mr. Gatti - Aye
Mrs. Muir - Aye
Mr. Shamey - Aye
Mayor Allen - Aye

A **MOTION** was made by Mr. Shamey to approve the municipal cost share agreement for Block 75, Lot 33, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

Mr. Gatti - Aye
Mrs. Muir - Aye
Mr. Shamey - Aye
Mayor Allen - Aye

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

Clerk read by Title:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY OF DECEMBER 1992 TO ADD A NEW SUBCHAPTER PERTAINING TO THE PREVENTION OF FLOOD DAMAGE

ORDINANCE #26-2009

Mayor Allen stated this is a mandate from the State to bring the flood damage prevention ordinance in compliance with the State regulations.

Attorney Dragan stated the Township needs to follow the flood hazard area maps and this ordinance allows provisions for variances from it by making an application to the Planning Board or Board of Adjustment.

Attorney Dragan stated there is a typo which should read as follows:

- under **5.2-2 NON-RESIDENTIAL CONSTRUCTION - (a) #2**, which should read within any AO zone on the municipality's **DFIRM**

Mayor Allen asked if there were any comments from the Governing Body.

There were none.

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

There were none.

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

Clerk read by Title:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY OF DECEMBER 1992 TO ADD A NEW SUBCHAPTER PERTAINING TO THE PREVENTION OF FLOOD DAMAGE

ORDINANCE #26-2009

A **MOTION** was made by Mrs. Muir to adopt this Ordinance, seconded by Mr. Shamey and on Roll Call vote the following was recorded:

Mr. Gatti - Aye
Mrs. Muir - Aye
Mr. Shamey - Aye
Mayor Allen - Aye

CORRESPONDENCE/OTHER INFORMATION

1. Memorandum dated September 10, 2009 from Tricia Houck, Deputy Clerk, Township of Clinton regarding the following:
 - ***An Ordinance Amending Article 34, Flood Damage Prevention Regulations, of Chapter 165 of the Code of the Township of Clinton, New Jersey, to Conform the Article to Current Regulations***
 - ***An Ordinance Supplementing and Amending Section 165-88, Enforcement of Chapter 165 of the Code of the Township of Clinton, New Jersey to Require the Submission of a Professionally Prepared Survey, Plat or Plan When Applying for a Zoning Permit***
 - ***An Ordinance Supplementing and Amending Section 165-99, Corner Lots, of Chapter 165 of the Code of the Township of Clinton, New Jersey Pertaining to the Designation of Yard Areas on Corner Lots***

No action taken.

2. Letter dated August 31, 2009 Michael J. Filippone, Director, Rates & Regulatory Affairs, Jersey Central Power & Light regarding ***Notice of Filing and Public Hearing for Proposed Economic Stimulus Demand Response and Energy Efficiency Programs***. No action taken.
3. Letter from Lou Cattuna, Northern Delaware Regional Supervisor, Bureau of Inland Regulation, Department of Environmental Protection regarding ***Freshwater Wetlands Letter of Interpretation/Line Verification on Block 21.13, Lot 7***. (Entire File Available in Clerk's Office for Review) No action taken.
4. Memorandum dated September 15, 2009 from Sharon L. Brienza, Township Clerk regarding the following:

- ***An Ordinance Amending the Land Development Ordinance of the Township of Branchburg by Adding a New Section 12-4 Entitled “Private Storm Drain Inlet Retrofitting”***
- ***An Ordinance Amending the Land Development Ordinance of the Township of Branchburg by Adding a New Section 12-3 Entitled “Refuse Containers/Dumpsters”***

No action taken.

NEW BUSINESS

1. ***Friends of the Dog Park in Readington*** – presentation

Lois Gorelick, President of Friends of the Dog Park in Readington, and Doreen Horvath gave a presentation on a proposed dog park facility. Doreen Horvath stated that the non-profit organization would like to construct a dog park in Hillcrest Park. Mayor Allen asked about the requirements of the fence around the dog park. Mrs. Muir asked about the release of liability insurance and about regulations in regard to excessive barking. Mrs. Muir also asked about the use of pesticides or herbicides within a dog park. Mr. Gatti questioned how the park would be controlled with permits and who would be monitoring the park. There was discussion on the responsibility of maintaining the dog park. Mayor Allen asked if the land would be leased by the dog park association and stated that there may be some legal issues that would need to be reviewed by the Township Attorney and Administrator. Mayor Allen suggested setting up a meeting within the next two weeks to address these issues.

2. ***Decorative Edging Planting of Burning Bush Shrubs at Summer Road Park and Ballfields*** – memo from Environmental Commission

Mrs. Muir stated that the burning bush shrubs at Summer Road ballfields are on the invasive species list and strongly recommended that they be pulled. Mayor Allen stated that the Planning Board recommended drafting an ordinance that in the future, any site plans that Readington Township approves which involve plantings, only native species may be used. Mayor Allen stated that she agrees with that recommendation; however, she is not in favor of pulling these bushes already planted. Mrs. Muir requested that this be read into the minutes *the environmental commission has noted that in excess of 200 euonymus alatus (commonly known as burning bush or winged euonymus or winged spingletree) have been planted as edging row along Summer Road. We request that the Committee direct the removal of this plant.* Administrator Mekovetz stated that these bushes were donated and the Township would have to replace these bushes. Mr. Shamey stated that in the event this becomes a serious problem the bushes could be trimmed.

A MOTION was made by Mrs. Muir to follow the request of the Environmental Commission to remove these shrubs because of their invasive, non-native species nature as recognized by the Federal Government and replace them with native species plant which is non-invasive or grass.

THE MOTION failed for lack of a second.

A MOTION was made by Mr. Shamey to thank the Environmental Commission for their memo and notify them of the Committee’s decision to not act on this request, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

A MOTION was made by Mr. Shamey to request Attorney Dragan to draft an ordinance requiring all plantings in site plans under the control of Readington

Township board and committees, on public and private land, use native non-invasive species, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

3. **Signage at Station Center** – letter dated September 14, 2009 from Net Property Group, LLC

A discussion took place regarding signage to the entrance of Station Center.

- ρ4. **Firemen's Membership Application** – Matthew R. Williams

This item was addressed under Consent Agenda.

- ρ5. **Blue Light Permit** – Lawrence Fogg

This item was addressed under Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz stated she had nothing further to report.

ATTORNEY'S REPORT

Attorney Dragan stated she had nothing further to report.

COMMITTEE REPORTS

Mayor Allen

Mayor Allen reported they had their Open Space walk yesterday and the Harvest Picnic for the Community Garden.

Frank Gatti

Mr. Gatti reported that on September 18th Lt. Donaruma completed his training with the FBI Academy. Mr. Gatti asked that Lt. Donaruma be commended at a meeting for his graduation from the FBI. Mr. Gatti also reported that this past summer there was an exercise at Holland Brook School and the National Tactile Officers Association commended the Readington Township Police Department.

A MOTION was made by Mr. Gatti to commend the officers involved in the arrest of the licensed sex offender caught with a young child along Route 22, seconded by Mr. Shamey with a vote of ayes all, nays none recorded.

Beatrice Muir

Mrs. Muir stated she had nothing to report.

Gerard Shamey

Mr. Shamey had nothing to report.

COMMENTS FROM THE PUBLIC

Jerry Cook commented on the lack of control the Township has over incidents at the Whitehouse Motel and residents staying there. Mrs. Allen suggested looking into see if the system failed in regard to the sex offender residing at that location.

Readington Township Committee

Meeting – September 21, 2009

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Ted Peters of County Line Road stated that he neglected to show a disapproval at the Public Hearing of Ordinance #19-2009 and would like it on record that he was not in favor of this ordinance.

As there was no further business, **A MOTION** was made by Mr. Shamey at 9:15 p.m. to adjourn the meeting, seconded by Mrs. Muir with a vote of all ayes, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/RPPO
Administrator/Municipal Clerk