

**READINGTON TOWNSHIP COMMITTEE
MEETING – October 19, 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, Mr. F. Gatti, Mr. T. Auriemma, Mr. G. Shamey

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan

ABSENT: Mrs. B. Muir

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>
Police.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will remain confidential
Municipal Court.....	Personnel.....	“ “ “
Dog Park.....	Contract Negotiations.....	“ “ “
Main Street (Block 34, Lot 8).....	Contract Negotiations.....	“ “ “
Amawalk (Block 93, Lot 1).....	Contract Negotiations.....	“ “ “
Discharge of Affordable Housing Agreement/121 Dove Cote Court	Contract Negotiations.....	“ “ “
Civil Action Summons/Tilcon.....	Litigation.....	“ “ “
Executive Session Minutes (October 5, 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 Mr. Shamey to adopt this resolution, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

The meeting reconvened 7:50 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/Police

Mayor Allen stated that this matter remains in Executive Session.

Personnel/Municipal Court

A **MOTION** was made by Mr. Shamey to appoint Nicole Heater as Municipal Court Administrator, effective October 26, 2009, at a salary to be determined, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Gatti	- Aye
Mr. Shamey	- Aye
Mayor Allen	- Aye

Contract Negotiations/Dog Park

A **MOTION** was made by Mr. Shamey to approve the proposal that was presented to the Township Committee by the Friends of the Dog Park in Readington for the establishment of the dog park in Hillcrest Park, subject to review and approval of related documents by the Township Attorney and reaching an overall agreement with maintenance, preparing a lease and any and all other requirements determined by the Township to be necessary in order to properly administer the dog park, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Gatti	- Nay
Mr. Shamey	- Aye
Mayor Allen	- Aye

Contract Negotiations/Block 34, Lot 8 (Main Street)

Mayor Allen stated that this matter remains in Executive Session.

Contract Negotiations/Amawalk (Block 93, Lot 1)

Mayor Allen stated that this matter remains in Executive Session.

Contract Negotiations/Discharge of Affordable Housing Agreement/121 Dove Cote Court

Mayor Allen stated that no action was taken on this matter.

Litigation/Civil Action Summons/Tilcon

A **MOTION** was made by Mr. Shamey to authorize Robert Ballard, Esq. to file an answer on behalf of the Township to represent the Township’s interest in this case, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

Mr. Auriemma - Aye
Mr. Gatti - Aye
Mr. Shamey - Aye
Mayor Allen - Aye

Attorney-Client Privilege/Executive Session Minutes (October 5, 2009)

A **MOTION** was made by Mr. Shamey to approve the Executive Session Minutes of October 5, 2009 for content only, seconded by Mr. Auriemma 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 there was no discussion on this matter.

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 October 5, 2009
- p2. **Social Affair Permit** – Polish American Citizens Club – October 22, 2009
- p3. **Readington Community Theatre** – request to hang banner for production of “Winter Wonderettes” – on or about November 20, 2009
- p4. **Payment of Bills** – (Complete bill list is on file in Clerk’s Office)

Fund Description	Fund No.	Received Total
CURRENT FUND	9-01	\$ 683,470.25
TRUST FUNDS	X-03	\$ 23,613.52
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 14,608.31
PAYROLL DEDUCTIONS	X-06	\$ 174,692.47
DUE TO STATE OF NJ	X-09	\$ 375.00
2008 CAPITAL	X-88	<u>\$ 51,990.21</u>
TOTAL OF ALL FUNDS		\$ 948,749.76

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

Mr. Auriemma - Aye
Mr. Gatti - Aye
Mr. Shamey - Aye
Mayor Allen - Aye

PUBLIC HEARINGS

Clerk read by Title:

**AN ORDINANCE AMENDING ORDINANCE AMENDING SEC. 148-111 OF
THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP
OF READINGTON REGARDING COAH DEVELOPMENT FEES**

ORDINANCE #27-2009

Mayor Allen stated that the Committee would not be able to consider this ordinance for adoption tonight because the Planning Board cancelled their meeting again; therefore they were unable to review the ordinance.

A **MOTION** was made by Mr. Shamey to carry the Public Hearing to the next meeting, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

A **MOTION** was made by Mr. Gatti 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 TO PROVIDE FOR THE ACCEPTANCE OF A STREAM CORRIDOR PROTECTION EASEMENT ON A PORTION OF BLOCK 76, LOT 2.03 (TO BECOME LOTS 2.03, 2.04 AND 2.05) IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM THE CLYDE H. ALLISON DISCLAIMER TRUST

Ordinance # 28-2009

Mayor Allen stated that this is a three lot subdivision which incorporates a stream and pursuant to the ordinance, requires that the stream corridor is protected by an easement.

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 TO PROVIDE FOR THE ACCEPTANCE OF A STREAM CORRIDOR PROTECTION EASEMENT ON A PORTION OF BLOCK 76, LOT 2.03 (TO BECOME LOTS 2.03, 2.04 AND 2.05) IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM THE CLYDE H. ALLISON DISCLAIMER TRUST

Ordinance # 28-2009

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

Mr. Auriemma	- Aye
Mr. Gatti	- 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 by Mr. Auriemma with a vote of ayes all, nays none recorded.

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 93, LOT 1, OWNER: AMAWALK) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$571,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$542,450 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE #29-2009

Mayor Allen stated that this is a 24 acre wooded property which has been of interest to the Township for providing recreational opportunities in Three Bridges. Mayor Allen stated that there is money in the planning incentive grant fund that would pay for 50% of the property and a portion of the cost of the property would be offset by the sale of the house on the property.

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. Auriemma with a vote of ayes all, nays none recorded

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF PROPERTY (BLOCK 93, LOT 1, OWNER: AMAWALK) IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$571,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$542,450 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE #29-2009

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

Mr. Auriemma	- Aye
Mr. Gatti	- Aye
Mr. Shamey	- Aye
Mayor Allen	- Aye

CORRESPONDENCE/OTHER INFORMATION

1. Letter from Nancy Wittenberg, Assistant Commissioner, Environmental Regulation dated October 2, 2009 regarding **Notice of Public Hearing for the Proposed FFY2010 Priority System, Intended Use Plan and Project Priority List Document**. No action taken.
2. Resolution from Theresa R. Stahl, Municipal Clerk, East Amwell Township regarding **Endorsing the “Green Acres, Water Supply and Floodplain Protection, and Farmland and Historic Preservation Bond Act of 2009.”** No action taken.
3. Memorandum dated October 8, 2009 from Rose Sollena, Township Clerk, Raritan Township regarding **An Ordinance of the Township of Raritan, County of Hunterdon, State of New Jersey, to Amend “The Revised General Ordinances of the Township of Raritan, 1999”, Title 16 and More Specifically Section 16.08.090I to Amend the Zoning the Permit Fee Replacement of Air Conditioning Units and to Adopt Schedule VI**. No action taken.

4. Memorandum dated October 9, 2009 from Denise B. Doolan, Clerk of Board, Board of Chosen Freeholders, Hunterdon County regarding “*Green Acres, Water Supply and Floodplain Protection and Farmland and Historic Preservation Bond Act.*” No action taken.
5. Letter dated October 14, 2009 from Lucy Vandenberg, PP, AICP, Council of Affordable Housing, regarding *Resolution Approved by the Council of Affordable Housing (COAH) granting third round substantive certification to Readington Township/Hunterdon County.* (Entire Report Available in Clerk’s Office for Review) No action taken.

OLD BUSINESS

1. *Off-Road Vehicles Ordinance*

Mayor Allen stated that this matter will be carried to the next meeting.

NEW BUSINESS

- ρ1. *Social Affair Permit* – Polish American Citizens Club- October 22, 2009
- ρ2. *Readington Community Theatre*- request to hang banner for production of “Winter Wonderettes” – on or about November 20, 2009
3. *Third Round Fair Share Ordinance*

The following ordinance was offered for introduction:

THIRD ROUND FAIR SHARE ORDINANCE
Readington Township, Hunterdon County

ORDINANCE #30-2009

_____. Intent

This section of the Township Code sets forth regulations regarding the low and moderate income housing units in the Township consistent with the provisions known as the “Substantive Rules of the New Jersey Council on Affordable Housing for the period beginning June 2, 2008 with amendments through October 20, 2008”, N.J.A.C. 5:97 et seq., the Uniform Housing Affordability Controls (“UHAC”), N.J.A.C. 5:80-26.1 et seq. and the Township's constitutional obligation to provide a fair share of affordable housing for low and moderate income households. In addition, this section applies requirements for very low income housing as established in P.L. 2008, c.46 (the Roberts bill). These regulations are also intended to provide assurances that low and moderate income units (the "affordable units") are created with controls on affordability over time and that low and moderate income people occupy these units. These regulations shall apply except where inconsistent with applicable law.

_____. Proportion of Low and Moderate Income Units by Sale, Rental and by Number of Bedrooms

Except for affordable housing developments constructed pursuant to low income tax credit regulations:

- (1) At least half of the "for sale" affordable units within each affordable housing development shall be affordable to low income households.
- (2) At least half of the "rental" affordable units within each affordable housing development shall be affordable to low income households. Of the total number of affordable rental units, 13% shall be affordable to very low income households.

Ordinance #30-2009 cont'd:

- (3) At least half of the affordable units in each bedroom distribution within each affordable housing development shall be affordable to low income households.

_____. Bedroom Distribution of Affordable Units

- (1) Affordable housing developments which are not limited to age-restricted households shall be structured in conjunction with realistic market demands so that:
 - (a) The combination of efficiency and one-bedroom units is no greater than 20 of the total number of affordable units;
 - (b) At least 30 percent of all affordable units shall be two-bedroom units.
 - (c) At least 20 percent of all affordable units shall be three-bedroom units.
- (2) Affordable housing developments that are limited to age-restricted households shall at a minimum have a total number of bedrooms equal to the number of age-restricted affordable units within the affordable housing development. The standard may be met by creating all one-bedroom units or by creating a two-bedroom unit for each efficiency unit.

_____. Establishment of Rents and Prices of Units as Related to Household Size and Number of Units

- (1) In conjunction with realistic market information the following shall be used to determine maximum rents and sales prices of the affordable units:
 - (a) Efficiency units shall be affordable to one-person households.
 - (b) A one-bedroom unit shall be affordable to a one- and one-half person household.
 - (c) A two-bedroom unit shall be affordable to a three-person household.
 - (d) A three-bedroom unit shall be affordable to a four- and one-half person household.
 - (e) A four-bedroom unit shall be affordable to a six-person household.
- (2) For assisted living facilities the following standards shall be used:
 - (a) A studio shall be affordable to a one-person household.
 - (b) A one-bedroom unit shall be affordable to a one- and one-half person household.
 - (c) A two-bedroom unit shall be affordable to a two-person household or to two, one-person households.
- (3) In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the administrative agent shall strive to:
 - (a) provide an occupant for each unit bedroom;
 - (b) provide children of different sex with separate bedrooms; and
 - (c) prevent more than two persons from occupying a single bedroom.

_____. Establishing Median Income by Household Size

- (1) Median income by household size shall be established using a regional weighted average of the uncapped Section 8 income limits published by HUD computed as set forth in N.J.A.C. 5:97-9.2.

_____. Establishing Average Rents of Affordable Units

Ordinance #30-2009 cont'd:

- (1) The maximum rent of affordable units within each affordable housing development shall be affordable to households earning no more than 60 percent of median income. The average rent for low and moderate income units shall be affordable to households earning no more than 52 percent of median income. Restricted rental units shall establish at least one rent for each bedroom type for all low and moderate income units provided at least 13 percent of all low and moderate income units are affordable to households earning no more than 30 percent of median income. For low-income rental units established in a Market to Affordable Rental Program only – the maximum rent for a low-income unit shall be affordable to households earning no more than 44 percent of median income.
- (2) Low and moderate income units shall utilize the same heating source as market units within an inclusionary development.
- (3) Gross rents including an allowance for utilities shall be established for the various size affordable units at a rate not to exceed 30 percent of the gross monthly income of the appropriate household size as set forth in subsection ____ above. The allowance for utilities shall be consistent with the utility allowance approved by NJDCA for use in its Section 8 Program.
- (4) No affordable rental units included in the COAH requirement shall be subject to a rent control ordinance which may be adopted or in place in the Township of Readington during the time period in which affordable housing COAH controls are effective.

____. Establishing Average Sales Prices of Affordable Units

- (1) The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income. Each affordable development must achieve an affordability average of 55 percent for restricted ownership units. Moderate income ownership units must be available for at least three different prices for each bedroom type and low income ownership units must be available for at least two different prices for each bedroom type. For low-income sale units established in a Market to Affordable Sales Program only – the maximum sales for a low-income unit shall be affordable to households earning no more than 40 percent of median income.
- (2) Low and moderate income units shall utilize the same heating source as market units within an inclusionary development.
- (3) The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying costs of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of an appropriate household size as determined under N.J.A.C. 5:80-26.4; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3.

____. Affordable Housing Units: Condominium or Homeowners Association Fees.

- (1) If an affordable housing unit is part of a condominium association or homeowner's association, the Master Deed shall reflect that the assessed affordable homeowner's fee be established at one hundred percent of the market rate fee. This percentage assessment shall be recorded in the Master Deed.

____. Reservation of Units

Ordinance #30-2009 cont'd:

- (1) Low income housing units shall be reserved for households with a gross household income equal to or less than 50 percent of the median income approved by COAH.
- (2) Very low income housing units shall be reserved for households with a gross household income equal to or less than 30 percent of the median income approved by COAH.
- (3) Moderate income housing units shall be reserved for households with a gross household income in excess of 50 percent but less than 80 percent of the median income approved by COAH.

____. Reoccupancy Certificates

- (1) Upon resale of an affordable unit, a certificate of continuing occupancy shall be required in accordance with N.J.A.C. 5:80-26.10

____. Phasing Of Construction

- (1) Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following phasing schedule for low and moderate income units whether developed in one stage or in two or more stages:

<u>Minimum Percentage of Low & Moderate Income Units Completed</u>	<u>Percentage of Market Housing Units Completed</u>
0	25
10	25 + 1 unit
50	50
75	75
100	90

____. Control Period for Affordable Housing

- (1) Any conveyance of a newly constructed low or moderate income sales unit shall contain the restrictive covenants and liens that are set forth in N.J.A.C. 5:80-26 et seq.

____. Administration of Affordable Housing Program

- (1) Readington Township is ultimately responsible for administering the affordable housing program, including affordability controls and the Affirmative Marketing Plan in accordance with the regulations of COAH pursuant to N.J.A.C. 5:97 et seq. and the UHAC pursuant to N.J.A.C. 5:80-26 et seq.
- (2) Readington Township has delegated to the Municipal Housing Liaison, this responsibility for administering the affordable housing program, including administering and enforcing the affordability controls and the Affirmative Marketing Plan of Readington Township in accordance with the provisions of this sub-chapter, the regulations of COAH pursuant to N.J.A.C. 5:96 and 5:97 et seq. and the UHAC pursuant to N.J.A.C. 5:80-26 et seq. Readington Township shall by resolution appoint the Housing Officer as the Municipal Housing Liaison.
- (3) Subject to COAH or Superior Court approval, Readington Township may contract with one or more administrative agents to administer some or all of the affordability controls and/or the Affirmative Marketing Plan in accordance with this sub-chapter, the regulations of COAH pursuant to N.J.A.C. 5:97 and 5:96 et seq. and the UHAC pursuant to N.J.A.C. 5:80-26 et seq. If Readington Township enters into such a contract, the

Ordinance #30-2009 cont'd:

Municipal Housing Liaison shall supervise the contracting administrative agent(s) and shall serve as liaison to the contracting administrative agent(s).

- (4) The Township of Readington intends to contract with an experienced affordable housing administrator to be the administrator of the sale and rental of all new affordable housing. The experienced affordable housing administrator will also oversee and administer income qualification of low and moderate income households; place income eligible households in low and moderate income units upon initial occupancy; place income eligible households in low and moderate income units as they become available during the period of affordability controls and enforce the terms of the required deed restrictions and mortgage loans. The experienced affordable housing administrator will specifically administer and implement:
- (a) An administrative plan and program, and related monitoring and reporting requirements as outlined in N.J.A.C. 5:80-26.15 et seq. and Chapter ____ of the Land Development Ordinances of the Township of Readington.
 - (b) A plan for certifying and verifying the income of low and moderate income households as per N.J.A.C. 5:80-26.16
 - (c) Procedures to assure that low and moderate income units are initially sold or rented to eligible households and are thereafter similarly re-sold and re-rented during the period while there are affordability controls as per N.J.A.C. 5:80-26 et seq.
 - (d) The requirement that all newly constructed low and moderate income sales or rental units contain deed restrictions with appropriate mortgage liens as set forth in Appendices in N.J.A.C. 5:80-26 et seq.
 - (e) The several sales/purchase options authorized under N.J.A.C. 5.80-26 et seq. except that the Township retains the right to determine by resolution whether or not to prohibit, as authorized under N.J.A.C.5:80-26 et seq., the exercise of the repayment option.
 - (f) The regulations determining 1) whether installed capital improvements will authorize an increase in the maximum sales price; and 2) which items of property may be included in the sales price as per N.J.A.C.5:80-26.9.
- (5) The developers/owners of any inclusionary site shall be responsible for the experienced affordable housing administrator's administrative fee, affirmative marketing and advertising and such shall be a condition of Planning or Zoning Board approval. Subsequent to the initial sale of an affordable sale unit, the seller of an affordable sale unit shall be responsible for the experienced affordable housing administrator's administrative fee, affirmative marketing and advertising and such shall be a condition of any affordable housing deed restriction governing the affordable unit.
- (6) Readington Township reserves the right to replace the experienced affordable housing administrator with another municipal authority or other agency authorized by COAH or the Superior Court to carry out the administrative processes outlined above.

_____. **Time Period For Controls**

- (1) Newly constructed low and moderate income "rental" units shall remain affordable to low and moderate income households for a period of at least 30 years.
- (2) Newly constructed low and moderate income "for sale" units shall remain affordable to low and moderate income households for a period of at least 30 years.

Ordinance #30-2009 cont'd:

- (3) Rehabilitated owner-occupied single family housing units that are improved to code standard shall be subject to affordability controls for 10 years.
- (4) Rehabilitated renter-occupied housing units that are improved to code standard shall be subject to affordability controls for at least 10 years.
- (5) Housing units created through conversion of a non-residential structure shall be a new housing unit and shall be subject to affordability controls for new housing units as designated in items 1 and 2 above.
- (6) Affordability controls on accessory apartments shall be for a period of 10 years.
- (7) Affordability controls for units in alternative living arrangements shall be for a period of 30 years.
- (8) Affordability controls on market to affordable units shall be for a period of at least 30 years.

___ Selection of Occupants of Affordable Units

- (1) The administrative agent shall use a random selection process to select occupants of low- and moderate-income housing.
- (2) A waiting list of all eligible candidates will be maintained in accordance with the provisions contained in N.J.A.C. 5:80-26 et seq.

____. Affirmative Marketing Plan

- (1) Readington Township shall adopt by resolution an Affirmative Marketing Plan, subject to approval of COAH, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- (2) The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region 3 and covers the period of deed restriction.
- (3) The affirmative marketing plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 3 comprised of Hunterdon, Middlesex and Somerset Counties.
- (4) The Administrative Agent designated by Readington Township shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.
- (5) In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- (6) The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.

Ordinance #30-2009 cont'd:

- (7) The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by Readington Township.
- (8) A random selection method to select occupants of low and moderate income housing will be used by the experienced affordable housing administrator in conformance with N.J.A.C.5:80-26.16 (l).
 - (a) An experienced affordable housing administrator will be selected to administer the program. The experienced affordable housing administrator has the responsibility to income qualify low and moderate income households; to place income eligible households in low and moderate income units upon initial occupancy; to provide for the initial occupancy of low and moderate income units which income qualified households; to continue to qualify households, for re-occupancy of units as they become vacant during the period of affordability controls; to assist with outreach to low and moderate income households; and to enforce the terms of the deed restriction and mortgage loan as per N.J.A.C 5:80-26. The Housing Officer within the Township of Readington is the designated municipal housing liaison to act as liaison to the experienced affordable housing administrator. The experienced affordable housing administrator shall provide counseling services to low and moderate income applicants on subject such as budgeting, credit issues, mortgage qualifications, rental lease requirements and landlord/tenant law.
 - (b) All developers of low and moderate income housing units shall be required to assist in the marketing of the affordable units in their respective developments.
 - (c) The marketing program shall commence at least 120 days before the issuance of either temporary or permanent certificates of occupancy. The marketing program shall continue until all low income housing units are initially occupied and for as long as affordable units are deed restricted and occupancy or reoccupancy of units continues to be necessary.
 - (d) The experienced affordable housing administrator will comply with monitoring and reporting requirements as per N.J.A.C.5:80-26.

___ Adaptable and Accessible Units (per N.J.A.C. 5:97-3.14)

- (1) The first floor of all townhouse dwelling units and of all other multistory dwelling units which are affordable to low or moderate households shall be subject to the technical design standards of the Barrier Free Subcode (N.J.A.C. 5:23-7).
- (2) Each affordable townhouse unit or other affordable multistory dwelling unit that is attached to at least one other dwelling unit shall have the following features:
 - i. An adaptable toilet and bathing facility on the first floor;
 - ii. An adaptable kitchen on the first floor;
 - iii. An accessible route of travel;
 - (a) An interior accessible route of travel shall not be required between stories.
 - iv. An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and
 - v. Accessible entranceways.
 - (a) The developer shall provide an accessible entranceway as set forth at N.J.A.C. 5:97-3.14 for each affordable townhouse unit or other affordable

Ordinance #30-2009 cont'd:

- multistory dwelling unit and is attached to at least one other dwelling unit;
or
- (b) The developer shall provide funds sufficient to make 10% of the adaptable the development accessible as set forth at N.J.A.C. 5:97-3.14.
- vi. The developer of the project shall submit a conversion plan indicating the steps necessary to convert the unit from being adaptable to accessible. Said plan shall be submitted at the time of issuance of a building permit.
- vii. Where the developer will provide funds sufficient to make 10% of the adaptable entrances in the development accessible, the developer of the project shall submit the following to the Township, at the time of issuance of the building permit, in order to determine the required funds:
 - (a) Funds sufficient to make 10% of the adaptable entrances in the development accessible; and
 - (b) A cost estimate for conversion of 10% of the adaptable entrances in the development to accessible.
- viii. In the case of an affordable unit or units which are constructed with an adaptable entrance, upon the request of a disabled person who is purchasing or will reside in the dwelling unit, an accessible entrance shall be installed by the Township.

A **MOTION** was made by Mr. Shamey to introduce this ordinance by title, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

Mr. Auriemma	- Aye
Mr. Gatti	- Aye
Mr. Shamey	- Aye
Mayor Allen	- Aye

A Public Hearing was scheduled for November 16, 2009 at 8:00 p.m.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported that two applications were submitted for the County Planning Incentive Grant and resolutions will be needed for the cost sharing of those projects.

The following resolution was offered for consideration:

#R-2009-113

**TOWNSHIP OF READINGTON
RESOLUTION**

**COST SHARING FOR APPLICATIONS IN THE 2010 FUNDING ROUND
OF THE HUNTERDON COUNTY PLANNING INCENTIVE GRANT PROGRAM**

WHEREAS, the Hunterdon County Agricultural Development Board (CADB) has received applications for the 2010 Funding Round for the County Planning Incentive Grant Program from Township landowners; and

WHEREAS, the CADB requires a resolution of Township approval and a commitment of cost-share funding for the following application:

Block 94, Lot 11 (Readington Farms - 52 +/- acres)

Resolution #2009-113 cont'd:

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Readington is willing to cost-share on the application for Block 94, Lot 11 (Readington Farms - 52 +/- acres) for the 2010 Funding Round for the County Planning Incentive Grant Program; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is directed to forward certified copies of this Resolution to the County Agricultural Development Board as requested and required.

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

Mr. Auriemma	- Aye
Mr. Gatti	- Aye
Mr. Shamey	- Aye
Mayor Allen	- Aye

The following resolution was offered for consideration:

#R-2009-114

**TOWNSHIP OF READINGTON
RESOLUTION**

**COST SHARING FOR APPLICATIONS IN THE 2010 FUNDING ROUND
OF THE HUNTERDON COUNTY PLANNING INCENTIVE GRANT PROGRAM**

WHEREAS, the Hunterdon County Agricultural Development Board (CADB) has received applications for the 2010 Funding Round for the County Planning Incentive Grant Program from Township landowners; and

WHEREAS, the CADB requires a resolution of Township approval and a commitment of cost-share funding for the following application:

Block 94, Lot 19 (Toll NJ, VI, LP - 84 +/- acres)

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Readington is willing to cost-share on the application for Block 94, Lot 19 (Toll, NJ, VI, LP - 84 +/- acres) for the 2010 Funding Round for the County Planning Incentive Grant Program; and

BE IT FURTHER RESOLVED, that the Municipal Clerk is directed to forward certified copies of this Resolution to the County Agricultural Development Board as requested and required.

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

Mr. Auriemma	- Aye
Mr. Gatti	- Aye
Mr. Shamey	- Aye
Mayor Allen	- Aye

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing to report.

COMMITTEE REPORTS

Mayor Allen

Mayor Allen reported that due to inclement weather the Open Space hike on Pleasant Run Greenway was rescheduled to the following Sunday.

Mayor Allen reported that a farm tour of the preserved farms has been scheduled for next Saturday, October 24th at 1:00 p.m. Mayor Allen reported that the tour will include stops at the Lane Farm on Pleasant Run Road, Pat Hilton/Fred Van Doren Farm on Higginsville Road, the Community Garden and the Buffalo Farm.

Thomas Auriemma

Mr. Auriemma stated that he had nothing to report.

Frank Gatti

Mr. Gatti stated that he had nothing to report.

Gerard Shamey

Mr. Gatti reported that NJ Transit is starting to work on the roof of the train station.

Mr. Shamey reported a contractor had resurfaced several streets with a micro seal top coat. Mayor Allen stated that on behalf of the Committee special thanks should be given to Scott Jesseman and Scott Hulcher and their crew for a very good job on the roads this year.

Mr. Shamey asked about the status of the Bouman Stickney guesthouse and after some discussion, it was decided that Mr. Gatti would reach out to the Museum Committee for a further update.

COMMENTS FROM THE PUBLIC

There were none.

As there was no further business, **A MOTION** was made by Mr. Shamey at 8:25 p.m. to adjourn the meeting, seconded by Mr. Gatti with vote of all ayes, nays none recorded.

Respectfully Submitted:

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