

**READINGTON TOWNSHIP COMMITTEE
MEETING – January 17, 2023**

Mayor Huelsebusch *calls the meeting to order at 5:00 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. Huelsebusch, Deputy Mayor A. Mueller, Mr. J. Albanese, Mr. J. Heller and Mr. V. Panico

ALSO PRESENT: Administrator R. Sheola, Municipal Clerk K. Parker, Attorney S. Dragan

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, THERFORE, 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>
Administration	Personnel	Certain information at the discretion of the Township Committee tonight...other Information will remain confidential
Appointment of Municipal Court Judge.....	Personnel	“ “ “
Construction Code Department	Personnel	“ “ “
Fire Official	Personnel	“ “ “
Police Department	Personnel	“ “ “
Professional Services.....	Contract Negotiations	“ “ “

- ♦ Sharon A. Dragan, Esq. (Township Attorney)
- ♦ Martin Allen, Esq. (Tax Appeal Attorney)
- ♦ PKF O’Connor Davies (Municipal Auditor)
- ♦ Fisher & Phillips LLP (Labor Attorney)
- ♦ Matthew Giacobbe, Esq. (Labor Attorney)
- ♦ Richard Cushing, Esq. (Special Counsel)
- ♦ McManimon & Scotland (Bond Counsel)
- ♦ Surenian, Edwards & Nolan LL (Special Counsel)
- ♦ Clarke♦Caton♦ Hintz (Township Planners)
- ♦ Van Cleef Engineering (Township Engineer)
- ♦ Finelli Consulting Engineers Inc (Conflict Engineer)
- ♦ Ferriero Engineering, Inc (Conflict Engineer)

- ♦ *AEIS (Inspection Svcs. for Lake Cushetunk Dam)*
- ♦ *Brian Davis, Esq. / Stephen Davis, Esq. (Municipal Prosecutor)*
- ♦ *Robert Ballard, III, Esq. (Alternate Prosecutor)*
- ♦ *Scott Mitzner, Esq. (Public Defender)*
- ♦ *Anthony M. Rotunno, Esq. (Alternate Public Defender)*
- ♦ *JEC Computers LLC (Computer & Printer Maintenance)*
- ♦ *Princeton Public Affairs Group (Governmental Relations Matters)*
- ♦ *Animal Control Solutions (Animal Control Services)*
- ♦ *Phoenix Advisors (Municipal Advisory Services)*

PBA	Contract Negotiations	“	“	“
Block 73, Lots 25 & 23.01 (Beitz).....	Contract Negotiations	“	“	“
Proposal for Open Space Stewardship...	Contract Negotiations	“	“	“
Stream Corridor Conservation Easement /... Stormwater Maintenance Agreement (Readington Commons)	Contract Negotiations	“	“	“
Block 74, Lot 4 (Saums).....	Contract Negotiations	“	“	“
Block 73, Lot 15 (Darts Mill)	Contract Negotiations	“	“	“
Transfer of Construction Board of Appeals... Case (Tewksbury Township)	Contract Negotiations	“	“	“
Executive Session Minutes..... • <i>December 19, 2022</i>	Attorney-Client Privilege.....	“	“	“
Executive Session Minutes..... • <i>December 28, 2022</i>	Attorney-Client Privilege.....	“	“	“
Attorney-Client Privilege	Attorney-Client Privilege.....	“	“	“
Affordable Housing.....	Potential Litigation.....	“	“	“
388 Readington Realty Holdings vs..... Township of Readington	Litigation	“	“	“

It is anticipated at this time that the stated subject matter will be made public on or about the time set forth in Exhibit “A.”

2. This Resolution shall take effect immediately.

A MOTION was made by Mr. Heller to adopt this resolution, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:40 p.m.

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

Executive Session:

Personnel / Administration

Mayor Huelsebusch stated that this matter remains in Executive Session.

Personnel / Appointment of Municipal Court Judge

The following resolution was offered for consideration:

#R-2023-14

***TOWNSHIP OF READINGTON
RESOLUTION***

BE IT RESOLVED, that the following appointments are made for the year 2023:

2023 APPOINTMENTS

<u>POSITION</u>	<u>APPOINTMENT</u>	<u>TERM/YEARS</u>
MUNICIPAL COURT JUDGE.....	GERARD SHAMEY	THREE YEARS

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

- Mr. Albanese -Aye
- Mr. Heller - Aye
- Mr. Mueller - Nay
- Mr. Panico - Nay
- Mayor Huelsebusch - Aye

Personnel / Construction Code Department

The following resolution was offered for consideration:

#R-2023-15

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, Dan Niro was hired as Plumbing Sub-code Official in the Construction Code Office on August 1, 2022; and

WHEREAS, Dan Niro has tendered his resignation on January 5, 2023; and

WHEREAS, Dan Niro has agreed to remain in the position until such time as a suitable replacement is hired and on-boarded; and

WHEREAS, the Township Committee hereby accepts Dan Niro’s resignation; and

NOW THEREFORE BE IT RESOLVED the Township Committee wishes Dan Niro success in his endeavors.

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

- Mr. Albanese -Aye
- Mr. Heller - Aye
- Mr. Mueller - Aye
- Mr. Panico - Aye
- Mayor Huelsebusch - Aye

The following resolution was offered for consideration:

#R-2023-16

RESOLUTION FOR THOMAS PETTO AS ACTING CONSTRUCTION CODE OFFICIAL

WHEREAS, pursuant to N.J.A.C. 5:23 the municipality shall employ a Construction Code Official for the Construction Office; and

WHEREAS, the resignation of the previous Construction Code Official has left a vacancy with the Uniform Construction Office and the Appointing Authority shall appoint an acting Construction Official any time the absence of such official would impede orderly administration of the Uniform Construction Code and other duties mandated by the municipality; and

NOW THEREFORE BE IT RESOLVED, by the Committee of the Township of Readington, in the County of Hunterdon, that the Township shall appoint Thomas Petto to be the Acting Construction Code Official in accordance with N.J.A.C. 5:23-4.4(a)6 at the current salary and hours of work.

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

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Aye
Mayor Huelsebusch - Aye

Personnel / Fire Official

Mayor Huelsebusch stated that this matter remains in Executive Session.

Personnel / Police Department

The following resolution was offered for consideration:

#R-2023-17

RESOLUTION APPOINTING CONNOR STROHM AS PATROL OFFICER

WHEREAS, there exists a need to fill a vacancies that may be created by the real potential retirements in the Police Department; and

WHEREAS, following the review of resumes and interviewing viable candidates it is the recommendations of the Public Safety Director and Township Administrator to hire Connor Strohm to the position of Probationary 1st year Police Officer at the current contract rates; and

NOW THEREFORE BE IS FURTHER RESOLVED that all provisions of the Township Personnel Policies and the collective bargained agreement with PBA Local No. 317 shall be afforded Connor Strohm during his employment, effective January 17, 2023.

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

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Aye
Mayor Huelsebusch - Aye

Municipal Clerk Parker swore in Connor Strohm as a Probationary Patrol Officer.

***Contract Negotiations / Professional Services / Sharon A. Dragan, Esq. / Mason Griffin Pierson
(Township Attorney)***

The following resolution was offered for consideration:

#R-2023-18

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
TOWNSHIP ATTORNEY***

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

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

WHEREAS, Sharon A. Dragan, Esq. (Mason, Griffin & Pierson, PC) has submitted a proposal indicating she will act as Township Attorney at an annual rate of \$175,824 based on an estimated average of 97-100 hours per month; and

WHEREAS, Sharon A. Dragan, Esq. (Mason, Griffin & Pierson, PC) has completed and submitted a Business Entity Disclosure Certification which certifies that Sharon A. Dragan, 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 Sharon A. Dragan, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Sharon A. Dragan, Esq. (Mason, Griffin & Pierson, PC) 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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Nay
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Martin Allen, Esq. (Tax Appeal Attorney)

The following resolution was offered for consideration:

#R-2023-19

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
TAX ATTORNEY/BANKRUPTCY SERVICES***

WHEREAS, the Township of Readington has a need to acquire Tax Attorney/Bankruptcy Services through a fair and open process pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

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

WHEREAS, Martin Allen, Esq. (DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.) has submitted a proposal indicating he will provide Tax Attorney/Bankruptcy Services at a rate of \$175 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted 2023 budget.

WHEREAS, Martin Allen, Esq. (DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.) has completed and submitted a Business Entity Disclosure Certification which certifies that Martin Allen, 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 Martin Allen, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Martin Allen, Esq. 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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / PKF O’Connor Davies (Municipal Auditors)

The following resolution was offered for consideration:

#R-2023-20

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
MUNICIPAL AUDITOR SERVICES***

WHEREAS, the Township of Readington has a need to acquire Municipal Auditing Services through a fair and open process pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

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

WHEREAS, PKF O’Connor Davies LLP has submitted a proposal indicating they will provide Municipal Auditor Services at an annual rate of \$37,300.00.

WHEREAS, PKF O’Connor Davies LLP has completed and submitted a Business Entity Disclosure Certification which certifies that PKF O’Connor Davies LLP 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 PKF O’Connor Davies LLP 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 PKF O’Connor Davies LLP 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, 2023; 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 Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Nay
Mr. Panico	- Nay
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Fisher & Phillips, LLP (Labor Attorney)

The following resolution was offered for consideration:

#R-2023-21

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LABOR COUNSEL SERVICES***

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

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

WHEREAS, Fisher & Phillips, LLP has submitted a proposal indicating they will provide Labor Counsel Services for rates as follows:

- Partner-Level Attorney - \$360.00 per hour.
- Senior Associate - \$295.00 per hour.

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

WHEREAS, Fisher & Phillips, LLP has completed and submitted a Business Entity Disclosure Certification which certifies that Fisher & Phillips, LLP 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 Fisher & Phillips, LLP 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Fisher & Phillips, LLP 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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Matthew Giacobbe, Esq. (Labor Counsel)

The following resolution was offered for consideration:

#R-2023-22

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
LABOR COUNSEL SERVICES**

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

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

WHEREAS, Matthew J. Giacobbe, Esq. of Cleary Giacobbe Alfieri Jacobs, LLC has submitted a proposal indicating they will act as Special Litigation Counsel at the following rates:

\$165 per hour for All Attorneys
\$90 per hour for Paralegals and Law Clerks

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

WHEREAS, Matthew J. Giacobbe, Esq., has completed and submitted a Business Entity Disclosure Certification which certifies that Matthew J. Giacobbe, 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 Matthew J. Giacobbe, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Matthew J. Giacobbe, Esq. of Cleary Giacobbe Alfieri Jacobs, LLC 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 when the matter is resolved; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Richard Cushing, Esq. Gebhardt & Kiefer (Special Counsel)

The following resolution was offered for consideration:

#R-2023-23

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, Gebhardt & Kiefer, PC has submitted a proposal indicating they will act as Special Litigation Counsel at the following rates:

1. Airport Matters
 \$335 per hour for Partners
 \$285 per hour for Associates
 \$120 per hour for Paralegals
2. 388 Route 22 Holdings, LLC Readington Realty v. Twp of Readington
 \$300 per hour for Attorney
 \$250 per hour for Associates
3. New Matters – to be determined

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

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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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

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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Professional Services / McManimon & Scotland (Bond Counsel)

The following resolution was offered for consideration:

#R-2023-24

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
BOND ATTORNEY SERVICES***

WHEREAS, the Township of Readington has a need to acquire Bond Attorney Services through a fair and open process pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

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

WHEREAS, McManimon & Scotland, L.L.C. has submitted a proposal indicating they will provide Bond Attorney Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, McManimon & Scotland, L.L.C. has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon & Scotland, L.L.C. 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 McManimon & Scotland, L.L.C. 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 McManimon & Scotland, L.L.C. 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, 2023; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Professional Services / Surenian, Edwards & Nolan (Special Counsel)

The following resolution was offered for consideration:

#R-2023-25

**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, Jeffrey R. Surenian, Esq., Surenian, Edwards and Nolan, LLC has submitted proposal indicating he will act as Special Litigation Counsel at the following rates: Attorney – \$200 per hour in addition to lower rates for supporting personnel; for the following matters:

Re: *Township of Readington Affordable Housing Obligations*

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

WHEREAS, Jeffrey R. Surenian, Esq., Surenian, Edwards and Nolan, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that Jeffrey R. Surenian, 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 Jeffrey R. Surenian, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Jeffrey R. Surenian, Esq., Surenian, Edwards and Nolan, LLC, 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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Clarke-Caton-Hintz (Township Planners)

The following resolution was offered for consideration:

#R-2023-26

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL PLANNING AND LANDSCAPE ARCHITECTURAL SERVICES

WHEREAS, the Township of Readington has a need to acquire Professional Planning and Landscape Architectural Services through a fair and open process pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

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

WHEREAS, Clarke•Caton•Hintz has submitted a proposal indicating they will provide Professional Planning and Landscape Architectural Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted 2023 budget.

WHEREAS, Clarke•Caton•Hintz has completed and submitted a Business Entity Disclosure Certification which certifies that Clarke•Caton•Hintz 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 Clarke•Caton•Hintz 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Clarke•Caton•Hintz 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, 2023; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Van Cleef Engineering (Township Engineer)

The following resolution was offered for consideration:

#R-2023-27

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL, ENGINEERING AND PROFESSIONAL LAND SURVEYING SERVICES

WHEREAS, the Township of Readington has a need to acquire Professional Engineering and Professional Land Surveying Services through a fair and open contract pursuant to the provision of *N.J.S.A. 19:44a-20.5* and

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

WHEREAS, Van Cleef Engineering Associates, has submitted a proposal indicating they will provide Professional Engineering and Professional Land Surveying Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Van Cleef Engineering Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Van Cleef Engineering Associates, 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 Van Cleef Engineering Associates, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Van Cleef Engineering Associates 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, 2023; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Finelli Engineering Consulting (Backup Conflict Engineer)

The following resolution was offered for consideration:

#R-2023-28

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL CONFLICT MUNICIPAL ENGINEER / INSPECTION SERVICES

WHEREAS, the Township of Readington has a need to acquire the services for a backup/conflict Professional Engineer on an as needed basis as a non-fair and open contract pursuant to the provision 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, Finelli Consulting Engineers, Inc., has submitted a proposal indicating they will provide Professional Engineering/Construction Inspection Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Finelli Consulting Engineers, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Finelli Consulting Engineers, Inc., 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 Finelli Consulting Engineers, Inc., 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Finelli Consulting Engineers, Inc., 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, 2023; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Ferriero Engineering Inc. (Conflict Engineer)

The following resolution was offered for consideration:

#R-2023-29

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL
CONFLICT MUNICIPAL ENGINEER / INSPECTION SERVICES***

WHEREAS, the Township of Readington has a need to acquire the services for a backup/conflict Professional Engineer on an as needed basis as a non-fair and open contract pursuant to the provision 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, Ferriero Engineering, Inc., has submitted a proposal indicating they will provide Professional Engineering/Construction Inspection Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Ferriero Engineering, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Ferriero Engineering, Inc., 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 Ferriero Engineering 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Ferriero Engineering, 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, 2023; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / AEIS (Inspection Services for Lake Cushetunk Dam)

The following resolution was offered for consideration:

#R-2023-30

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
INSPECTION SERVICES FOR THE LAKE CUSHETUNK DAM***

WHEREAS, there exists a need to acquire inspection services for the Lake Cushetunk Dam through a fair and open process pursuant to the provisions of N.J.S.A. 19:44-A-205.; and

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

WHEREAS, AEIS (Advanced Engineering & Inspection Services) has submitted a proposal indicating they will perform inspection services for the Lake Cushetunk Dam at a cost of \$18,200.00

WHEREAS, AEIS, has completed and submitted a Business Entity Disclosure Certification which certifies that AEIS 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 AEIS 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) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 AEIS 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 when the matter is resolved; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Brian Davis, Esq. / Stephen Davis, Esq. (Municipal Prosecutor)

The following resolution was offered for consideration:

#R-2023-31

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR MUNICIPAL PROSECUTOR SERVICES***

WHEREAS, the Township of Readington has a need to acquire Municipal Prosecutor services through a fair and open process pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

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

WHEREAS, Brian Davis and Stephen Davis, Esq. (DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.) has submitted a proposal indicating he will provide Municipal Prosecutor services for \$150 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Brian Davis and Stephen Davis, Esq. (DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C.) has completed and submitted a Business Entity Disclosure Certification which certifies that Stephen Davis, 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 Brian Davis and Stephen Davis, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Brian and Stephen Davis, Esq. 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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Robert Ballard, III Esq. (Alternate Prosecutor)

The following resolution was offered for consideration:

#R-2023-32

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR MUNICIPAL PROSECUTOR SERVICES***

WHEREAS, the Township of Readington has a need to acquire Alternate Municipal Prosecutor 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, Robert Ballard III, Esq. (O’Connor, Parsons, Lane and Noble LLC) has submitted a proposal indicating he will provide Municipal Prosecutor services for \$150 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Robert Ballard III, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Robert Ballard III, Esq. (O’Connor, Parsons, Lane and Noble LLC) 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 Robert Ballard III, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Robert Ballard III, Esq. 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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Scott Mitzner, Esq. (Public Defender)

The following resolution was offered for consideration:

#R-2023-33

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
MUNICIPAL PUBLIC DEFENDER SERVICES**

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

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

WHEREAS, Scott Mitzner, Esq. has submitted a proposal indicating he will provide Municipal Public Defender Services at a rate of \$120 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted 2023 budget.

WHEREAS, Scott Mitzner, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Scott Mitzner, 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 Scott Mitzner, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Scott Mitzner, Esq. 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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Anthony Rotunno, Esq. (Alternate Public Defender)

The following resolution was offered for consideration:

#R-2023-34

***RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
ALTERNATE MUNICIPAL PUBLIC DEFENDER SERVICES***

WHEREAS, the Township of Readington has a need to acquire Alternate Municipal Public Defender 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, Anthony M. Rotunno, Esq. of Kuchinsky and Rotunno, PC. has submitted a proposal indicating he will provide Alternate Municipal Public Defender Services at a rate of \$95 per hour; and

WHEREAS, Anthony M. Rotunno, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Anthony M. Rotunno, 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 Anthony M. Rotunno, 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Anthony M. Rotunno, Esq. 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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / JEC Computers (Computer & Printer Maintenance)

The following resolution was offered for consideration:

#R-2023-35

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL COMPUTER AND PRINTER MAINTENANCE SERVICES

WHEREAS, the Township of Readington has a need to acquire Professional Computer and Printer Maintenance Services through a fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.5*; and

WHEREAS, JEC Computers, LLC has submitted a proposal indicating they will provide Professional Computer and Printer Maintenance Services at a rate of \$220 per month (\$2640 annually) and after two (2) *no charge* on-site visits, \$49.99 per visit plus \$99 per hour for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, JEC Computers, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that JEC Computers, LLC 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 JEC Computers, LLC. 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes entering into a contract with JEC Computers, LLC as described herein; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2023; 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 Mr. Heller to adopt this resolution, seconded by Mr. Albanese and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Princeton Public Affairs Group (Governmental Relation Matters)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Professional Services / Animal Control Solutions (Animal Control Services)

The following resolution was offered for consideration:

#R-2023-36

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ANIMAL CONTROL SERVICES

WHEREAS, the Township of Readington has a need to acquire Animal Control 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 \$17,500.00; and

WHEREAS, Animal Control Solutions has submitted a proposal indicating they will provide Animal Control Services at an annual rate of \$26,496; and

WHEREAS, Animal Control Solutions has completed and submitted a Business Entity Disclosure Certification which certifies that Animal Control Solutions 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 Animal Control Solutions 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Animal Control Solutions 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, 2023; 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Professional Services / Phoenix Advisors (Municipal Auditor Services)

The following resolution was offered for consideration:

#R-2023-37

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR MUNICIPAL ADVISOR SERVICES

WHEREAS, the Township of Readington has a need to acquire Municipal Advisor 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, Phoenix Advisors has submitted a proposal indicating they will provide Municipal Advisor Services for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Phoenix Advisors has completed and submitted a Business Entity Disclosure Certification which certifies that Phoenix Advisors 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 Phoenix Advisors 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*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2023 budget.

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 Phoenix Advisors 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, 2023; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule 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 Mr. Mueller to adopt this resolution, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / PBA

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Block 73, Lots 25 & 23.01 (Beitz)

The following resolution was offered for consideration:

#R-2023-38

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the Township of Readington desires to participate in the acquisition of several parcels located in the Township of Readington known as Block 73, Lots 23.01 and 25 and the Township of Raritan known as Block 37, Lot 1 and Block 28, Lot 1; and

WHEREAS, the New Jersey Conservation Foundation along with other not for profit groups are negotiating for the acquisition of said properties; and

WHEREAS, funding will come from various sources, including but not limited to Township Open Space Funds and New Jersey Green Acres; and

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Readington:

- 1) Does hereby express its continued interest in this acquisition and lends its full support to this effort; and,
- 2) Limits its financial participation to no more than \$30,000.00.

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

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Proposal for Open Space Stewardship

A MOTION was made by Mr. Mueller to approve the proposal from Raritan Valley Community College(RVCC) for the Open Space Stewardship Program, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Stream Corridor Conservation Easement / Stormwater Maintenance Agreement (Readington Commons)

A MOTION was made by Mr. Mueller to approve the Stream Corridor Conservation Easement and Stormwater Maintenance agreement for Readington Commons, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Aye
Mayor Huelsebusch - Aye

Contract Negotiations / Block 74, Lot 4 (Saums)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Block 73, Lot 15 (Darts Mill)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Mr. Panico recused himself and left the meeting.

Contract Negotiations / Transfer of Construction Board of Appeals Case (Tewksbury Township)

A ***MOTION*** was made by Mr. Mueller to approve the transfer of the Construction Board of Appeals case to the Township of Tewksbury, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mayor Huelsebusch	- Aye

Mr. Panico returned to the meeting.

Attorney-Client Privilege / Executive Session Minutes / December 19, 2022

A ***MOTION*** was made by Mr. Mueller to approve the Executive Session Minutes of December 19, 2022, for content only, seconded by Mr. Heller with a vote of ayes all, nays none recorded. Mr. Panico abstained since he was not present at the meeting.

Attorney-Client Privilege / Executive Session Minutes / December 28, 2022

A ***MOTION*** was made by Mr. Mueller to approve the Executive Session Minutes of December 28, 2022, for content only, seconded by Mr. Heller with a vote of ayes all, nays none recorded. Mr. Panico abstained since he was not present at that meeting.

Attorney-Client Privilege / Attorney-Client Privilege

Mayor Huelsebusch stated that this matter remains in Executive Session.

Potential Litigation / Affordable Housing

Mayor Huelsebusch stated that this matter remains in Executive Session.

Litigation / 388 Readington Realty Holdings LLC vs. Township of Readington

Mayor Huelsebusch stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Huelsebusch 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.*

Deputy Mayor Mueller requested to remove *items #1 & 2* from the Consent Agenda.

1. * **APPROVAL OF MINUTES** of meeting of December 19, 2022, December 28, 2022 and January 3, 2023
2. * **Release of Board of Health Escrow / Block 67.01, Lot 19.35 (14 Weavers Lane)**
3. * **Release of Board of Health Escrow / Block 36, Lot 6 (37 School Road)**
4. * **Release of Police Escrow /Traffic Plan**
5. * **Tax Sewer Overpayments**

The following resolution was offered for consideration:

READINGTON TOWNSHIP

HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, there exist several sewer overpayments from 2021 and 2022, and

WHEREAS, the Sewer Collector desires to apply the following overpayments to the amounts due for 2023 prior to the printing and mailing of the sewer bills:

<u>BLOCK</u>	<u>LOT</u>	<u>AMOUNT</u>
4	44	\$ 310.00
13	20	40.00
19	1	24.25
21.01	99	105.00
21.04	503.04	30.00
21.04	704.04	39.09
21.07	10	111.28
21.08	5	17.08
21.09	19	8.90
29	5	24.73
30.01	13	22.67
31	8	17.04
34	36.127	15.92
36	5.03	37.36
36	49.114	23.77
36	133	84.73
36	952331	115.00
73.03	3	35.03
88	4	115.25
89	6	21.61
95	12.109	110.00
95	12.192	9.20
95	12.279	9.20
95	12.403	6.80

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington that the Sewer Collector is hereby authorized to apply the above-referenced 2021 and 2022 sewer overpayments to 2023 sewer fees receivable.

6. * *Tax Overpayments*

The following resolution was offered for consideration:

READINGTON TOWNSHIP

HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, there exist several tax overpayments from 2022, and

WHEREAS, the Tax Collector desires to apply the following 2022 overpayments to the amounts due for 2023 property taxes receivable:

<u>BLOCK</u>	<u>LOT</u>	<u>QUAL</u>	<u>AMOUNT</u>
1.01	1.13		\$ 2,392.05
3.01	8		88.36
14	30		1,794.94
14	50	Q0060	471.68
20	25.02		212.61
21.04	507.04		250.00
22	12		3,310.50
22	12	Q0104	32.88
34	36.019		67.48
34	36.175		961.15
36	28.02		97.18
38	48	Q0164	7.42
42	8.14		1,333.68
46	6		7,311.95
46	10.23		6,226.05
51.03	21		39,438.47
52.01	20.01	Q0301	27.23
60	14.01		7.18
66	31	Q0454	112.15
76	3.07		180.49
82	1	Q0565	313.11
93	85		45.88
95	12.275		249.13
95	12.306		288.72
98	2.53		250.00

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington that the Tax Collector is hereby authorized to apply the above-referenced 2022 property tax overpayments to 2023 property taxes receivable.

7. * **Tax Lien Redemption**

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 95, Lot 12.065 and,

WHEREAS, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$956.17, plus a premium paid in the amount of \$2,200.00, known as Tax Sale Certificate #2022-016, to the lienholder, Bala Partners, LLC.

8. * **Tax Refund**

The following resolution was offered for consideration:

READINGTON TOWNSHIP
HUNTERDON COUNTY, STATE OF NEW JERSEY
RESOLUTION

WHEREAS, the Readington Township Tax Collector has recommended the following refund of a property tax payment from 2022:

<u>BLOCK/LOT</u>	<u>REFUND TO</u>	<u>REASON</u>	<u>AMOUNT</u>
57/11.27	Joseph & Elizabeth Menzak	Exempt – 100% Disabled Vet	\$1,050.00

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

11. * **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>
GENERAL	2-01	\$ 75,554.19
SEWER UTILITY OP FUND	2-02	\$ 9,256.12
GENERAL	3-01	\$ 8,096,079.58
SEWER UTILITY OP FUND	3-02	\$ 110,823.00
OTHER TRUST	X-03	\$ 15,357.15
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 810.00
PAYROLL DEDUCTIONS	X-06	\$ 279,146.62
2014 CAP IMPROVEMENTS	X-14	\$ 690.75
2021 CAP IMPROVEMENTS	X-21	\$ 40,031.31
2022-14 VARIOUS CAPITAL	X-22	\$ 5,815.62
TOTAL OF ALL FUNDS		\$ 8,633,564.34

A **MOTION** was made by Mr. Mueller to approve the Consent Agenda (*with the removal of items# 1 & 2*), seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Aye
Mayor Huelsebusch - Aye

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were no comments from the public.

CORRESPONDENCE / OTHER INFORMATION

1. Resolution received from Mayor Kovach, Town of Clinton, regarding Support of ***Proposed Senate Bill No. 861 Allowing Municipalities to Conduct Annual Tree Event for Open Burning of Christmas Trees.*** No action taken.
3. Letter dated December 21, 2022 from Matthew Kolodziej, PSE&G - Licensing and Permitting, regarding ***An Application to the State of New Jersey Department of Environmental Protection, Division of Land Resource Protection for Surveying and Investigating Right of Way Across Block 4, Lot 41 for Bridge Replacement.*** (Entire Application on File in Clerk's Office) No action taken.
4. Letter dated January 9, 2023 from Nibras Mir, Environmental Engineer, Bureau of Station Sources, NJDEP, Air, Energy and Materials Sustainability, Division of Air Quality, regarding ***Air Pollution Control Permit to Construct and Certificate to Operate Cannabis Processing at Verano New Jersey Facility.*** No action taken.
5. Letter dated January 6, 2023 from Jennifer Ader, Municipal Clerk, Township of Tewksbury regarding ***An Ordinance of the Township of Tewksbury, Hunterdon County, New Jersey Repealing and Replacing Title 2, Administration and Personnel, Chapter 2.32, Board of Health, of the Township Code of Ordinances.*** No action taken.

Mayor Huelsebusch also noted that a thank you note was received from the family of Dale Haver in recognition of honoring him with the *Lt. Dale Haver Whitehouse Greenway.*

NEW BUSINESS

1. ***An Ordinance to Provide for the Acceptance of Certain Easements on Portions of Block 4, Lot 51 in the Township of Readington, County of Hunterdon and State of New Jersey for Stormwater Maintenance Inspection and Stream Corridor Conservation Purposes, from Readington Commons, LLC***

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF CERTAIN EASEMENTS ON PORTIONS OF BLOCK 4, LOT 51 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FOR STORMWATER MAINTENANCE INSPECTION AND STREAM CORRIDOR CONSERVATION PURPOSES, FROM READINGTON COMMONS, LLC

ORDINANCE #01-2023

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

WHEREAS, Readington Commons, LLC, a New Jersey Limited Liability Company (hereinafter "Developer") has requested the Township of Readington to accept certain easements dedicated in connection with preliminary and final site plan applications granted by the Readington Township Planning Board in connection with a multi-family residential inclusionary development as set forth in resolutions memorialized in applications #PB 17-002 and PB 19-006 adopted on March 30, 2020, January 11, 2021 and November 14, 2022 (amendment of PB 19-006), respectively, concerning property owned by the Developer known as Block 4, Lot 51 (formerly Lots 51 and 52) on the official tax map of the Township of Readington as follows:

1. A stream corridor conservation easement affecting two areas on Block 4, Lot 51, one consisting of 2.0853 +/- acres shown as "Stream Corridor Conservation Easement A" and the other consisting of .5998 +/- acres shown as "Stream Corridor Conservation Easement B" as more particularly described in the metes and bounds descriptions and plans attached to the proposed Stream Corridor Conservation Easement document which is on the file in the office of the Readington Township Clerk; and

2. A stormwater maintenance and easement agreement affecting the stormwater collection system, and stormwater management structures, including retention basins, installed on the property, all as more particularly described in the Stormwater Maintenance and Easement Agreement which is on file in the office of the Township Clerk; and

WHEREAS, neither the above-described stream corridor protection easement nor the stormwater maintenance agreement provide any public rights of use on the property. The Grantor, and its, grantees, heirs, successors, and assigns shall be responsible for the ownership, maintenance, repair, and replacement of all stormwater structures on the property which is the subject of the easement agreements. The only public rights being dedicated to the Township of Readington are inspection and enforcement rights with respect to the conditions and covenants as set forth in both easement agreements, together with access for those limited purposes.

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

SECTION 1. The preambles set forth are repeated as if fully set forth herein.

SECTION 2. The Township of Readington does hereby accept, for inspection, enforcement and access purposes, the stream corridor conservation easement offered by the Developer Readington Commons, LCC, encompassing two areas on Block 4, Lot 51, one consisting of 2.0853 +/- acres shown as "Stream Corridor Conservation Easement A" and the other consisting of 0.5998 +/- acres shown as "Stream Corridor Conservation Easement B" as more particularly described in the metes and bounds descriptions and plans attached to the proposed Stream Corridor Conservation Easement document on the file in the office of the Readington Township Clerk.

SECTION 3. The Township of Readington does hereby accept, for inspection, enforcement and access purposes, the stormwater maintenance and easement agreement offered by Readington Commons, LLC affecting the stormwater collection system, and stormwater management structures installed on Block 4, Lot 51 as more particularly described in the Stormwater Maintenance and Easement Agreement which is on file in the office of the Township Clerk.

SECTION 4. The Township acknowledges receipt of the aforementioned easements conveying the property interest described herein.

Ordinance #01-2023 cont'd:

SECTION 5. The above-described easement interests are being acquired pursuant to N.J.S.A. 40A:12-3, 4 and 5, et seq. If the provision of any article, section, subsection, paragraph, subdivision, or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph, or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 6. This ordinance shall take effect immediately upon final adoption and publication. A copy of this Ordinance shall be recorded in the Hunterdon County Clerk's Office.

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

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

The Public Hearing was scheduled for February 6, 2023 at 7:45 pm.

2. **Resolution Authorizing the Special Tax Counsel for the Township of Readington to Enter into a Stipulation of Settlement Relative to the Tax Appeals Captioned: Merck Sharp & Dohme Corp. vs. Readington Township, Tax Court of New Jersey, Docket Nos. 004383-2016, 001157-2017, and 002560-2018; Unicom Science and Technology Park, Inc. vs. Readington Township, Tax Court of New Jersey, Docket Nos. 002755-2019, 000934-2020, 005115-2021, and 005699-2022; and Unicom Science and Technology Park, Inc. by Merck Sharp & Dohme Corp. vs. Readington Township, Docket Nos. 005359-2019, 001531-2020 and 005269-2021**

The following resolution was offered for consideration:

#R-2023-39

**TOWNSHIP OF READINGTON
RESOLUTION**

RESOLUTION AUTHORIZING THE SPECIAL TAX COUNSEL FOR THE TOWNSHIP OF READINGTON TO ENTER INTO A STIPULATION OF SETTLEMENT RELATIVE TO THE TAX APPEALS CAPTIONED: MERCK SHARP & DOHME CORP. vs. READINGTON TOWNSHIP, TAX COURT OF NEW JERSEY, DOCKET NOS. 004383-2016, 001157-2017 AND 002560-2018; UNICOM SCIENCE AND TECHNOLOGY PARK, INC. vs. READINGTON TOWNSHIP, TAX COURT OF NEW JERSEY, DOCKET NOS. 002755-2019, 000934-2020, 005115-2021, AND 005699-2022; AND UNICOM SCIENCE AND TECHNOLOGY PARK, INC. by MERCK SHARP & DOHME CORP. vs. READINGTON TOWNSHIP, DOCKET NOS. 005359-2019, 001531-2020, AND 005269-2021

WHEREAS, MERCK SHARP & DOHME CORP. (“Merck”) was the owner of property shown as Block 4, Lots 4.01, 48, 49, 100, and Block 9, Lot 2 on the Township of Readington's Tax Assessment Maps, commonly formerly known as the Merck Headquarters Facility; and

WHEREAS, Merck filed appeals of their 2016, 2017 and 2018 tax year assessments in the Tax Court of New Jersey, Docket Nos. *004383-2016, 001157-2017 and 002560-2018*; and

WHEREAS, UNICOM SCIENCE AND TECHNOLOGY PARK, INC. (“Unicom”) is the owner of property shown as Block 4, Lots 4.01, 48, 49, 100, and Block 9, Lot 2 on the Township of Readington's Tax Assessment Maps, commonly known as the Unicom Science and Technology Park; and

Resolution #R-2023-29 cont'd:

WHEREAS, Unicom filed appeals of their 2019, 2020, 2021 and 2022 tax year assessments in the Tax Court of New Jersey, Docket Nos. 002755-2019, 000934-2020, 005115-2021, AND 005699-2022; and

WHEREAS, UNICOM SCIENCE AND TECHNOLOGY PARK, INC. by MERCK SHARP & DOHME CORP. (“Merck Tenant”) was the tenant of property shown as Block 4, Lots 4.01 on the Township of Readington’s Tax Assessment Maps, commonly known as the Unicom Science and Technology Park; and

WHEREAS, Merck Tenant filed appeals of their 2019, 2020 and 2021 tax year assessments in the Tax Court of New Jersey, Docket Nos. 005359-2019, 001531-2020, and 005269-2021; and

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

WHEREAS, Unicom purchased the Property from Merck by Deed dated September 25, 2018 for a deed consideration of \$25,000,000, and

WHEREAS, the Township Tax Assessor has reviewed the market value of the Property, reviewed appraisals and in light of that market, including the aforesaid purchase price of the subject property, she recommends the settlement; and

WHEREAS, the parties have agreed to an acceptable settlement of all of the aforesaid tax appeals which results in the following tax refunds to be paid to Merck and Unicom:

- 1) For the tax savings attributable to Merck: \$1,800,000 of the tax savings will be paid to Merck, as more specifically set forth in the Omnibus Stipulation of Settlement reviewed by the Township Committee, within sixty (60) days of the date of entry of the Tax Court judgments; and \$406,998.02 of the tax savings will be paid, as more specifically set forth in the Omnibus Stipulation of Settlement reviewed by the Township Committee, no later than December 31, 2024; and \$406,998.02 of the tax savings will be paid, as more specifically set forth in the Omnibus Stipulation of Settlement reviewed by the Township Committee, no later than December 31, 2025;
- 2) For the tax savings attributable to Unicom: \$933,882.68 of the tax savings will be paid, as more specifically set forth in the Omnibus Stipulation of Settlement reviewed by the Township Committee, no later than December 31, 2024; and \$933,882.68 of the tax savings will be paid, as more specifically set forth in the Omnibus Stipulation of Settlement reviewed by the Township Committee, no later than December 31, 2025;

subject to the conditions in the Omnibus Stipulation of Settlement; and

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

WHEREAS, the 2023, 2024 and 2025 total tax assessments on the Property shall be set on the assessment books at a total of \$85,000,000, as more fully set forth and allocated in the Omnibus Stipulation of Settlement, subject to revisions pursuant to the conditions, all as more specifically provided for in the Omnibus Stipulation of Settlement; and

WHEREAS, the Freeze Act is waived and interest on the refunds is waived if the Township complies with the terms of payment pursuant to the Omnibus Stipulation of Settlement; and

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

Resolution #R-2023-29 cont'd:

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 Special Tax Counsel is hereby authorized to execute the Omnibus Stipulation of Settlement relative to the tax appeals of *Merck Sharp & Dohme Corp., Docket Nos. 004383-2016, 001157-2017 AND 002560-2018; Unicom Science and Technology Park, Inc., Docket Nos. 002755-2019, 000934-2020, 005115-2021, and 005699-2022; and Unicom Science and Technology Park, Inc. by Merck Sharp & Dohme Corp., Docket Nos. 005359-2019, 001531-2020, AND 005269-2021*, with the payments of refunds, conditions, and provisions, as more fully set forth in said Omnibus Stipulation of Settlement, which Omnibus Stipulation of Settlement has been reviewed and approved by the Township Committee.
2. The settlement outlined above shall be without prejudice to the Township of Readington's dealings with any other Township taxpayers' requests for tax assessment reductions. The Township of Readington.

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

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Nay
Mayor Huelsebusch - Aye

3. **2023 Sewer Rate** - memorandum dated January 9, 2023 from Michael Balogh, Tax Collector

A **MOTION** was made by Mr. Heller to approve the 2023 sewer rate, seconded by Mr. Mueller and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Nay
Mayor Huelsebusch - Aye

4. **Application for Special Events Permit / Varre Pre-Hindu Wedding Events**

A **MOTION** was made by Mr. Heller to approve the special event application, seconded by Mr. Mueller with a vote of ayes all, nays none recorded.

5. **Board of Adjustment 2021 Annual Report**

Deputy Mayor Mueller inquired as to why the annual report was a year behind.

Karen Mittleman, Board of Adjustment member, clarified the process.

Christina Albrecht, former Board of Adjustment member, spoke to the timing of the report.

A **MOTION** was made by Mr. Mueller to approve the 2021 Board of Adjustment Annual Report, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese -Aye
Mr. Heller - Aye
Mr. Mueller - Aye
Mr. Panico - Aye
Mayor Huelsebusch - Aye

6. ***New Jersey State Firemen's Association Application for Membership***
 - ~ Scott Barton
 - ~ Charles Todd Quintard

Deputy Mayor Mueller thanked Mr. Barton and Mr. Quintard for volunteering their time.

A MOTION was made by Mr. Mueller to approve the New Jersey State Fireman's Association Applications for Scott Barton and Charles Todd Quintard, seconded by Mr. Heller and on Roll Call vote the following was recorded:

Mr. Albanese	-Aye
Mr. Heller	- Aye
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

7. * ***Release of Board of Health Escrow / Block 67.01, Lot 19.35 (14 Weavers Lane)***

This matter was addressed under the Consent Agenda.

8. * ***Release of Board of Health Escrow / Block 36, Lot 6 (37 School Road)***

This matter was addressed under the Consent Agenda.

9. * ***Release of Police Escrow /Traffic Plan***

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Sheola spoke to the new department head report process and the proposed formal evaluation process for employees.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

COMMITTEE REPORTS

JOHN ALBANESE

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

JONATHAN HELLER

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

JUERGEN HUELSEBUSCH

Mayor Huelsebusch stated that he had nothing further to report.

ADAM MUELLER

Mr. Mueller reported that the Planning Board will be reviewing the Board of Adjustment Annual Report.

VINCENT PANICO

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

COMMENTS FROM THE PUBLIC

Municipal Clerk Parker stated that due to Daniel’s Law which took effect on January 13, 2023, only current year minutes and videos will be available on the website and previous year minutes may be obtained through the Open Public Records Act (OPRA) process. Municipal Clerk Parker also noted that any persons covered under Daniel’s Law are not required to provide their address when making a public comment or asking a question.

Emanuel Bola, Horseshoe Road, requested that the Township collect feedback on the Animal Control Solutions enforcement officers and process.

Karen Firing, Clark Lane, inquired about a Developer’s Agreement for Ryland Developers and the Township elevation change ordinances and expressed ongoing concerns about the water on her property.

Linda Firing, sister of resident Karen Firing, inquired as to why the Soil Conservation District has not shut down the construction if they are aware of the violations.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, ***A MOTION*** was made by Mr. Mueller at 8:40 p.m. to adjourn the meeting, seconded by Mr. Albanese with vote of ayes all, nays none recorded.

Submitted by:

Karin M Parker, *RMC*
Municipal Clerk