

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

Mayor Huelsebusch *calls the meeting to order at 4:00 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
Mr. V. Panico joined the meeting at 4:50 p.m.

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

- 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>
Police Department Interviews	Personnel	Certain information at the discretion of the Township Committee tonight...other Information will remain confidential
Administration	Personnel	“ “ “
Fire Companies	Attorney-Client Privilege	“ “ “
Police Department	Personnel	“ “ “
Recreation	Personnel	“ “ “
Department of Public Works.....	Personnel	“ “ “
Award of 2023-24 Hunting Season Bids...	Contract Negotiations	“ “ “
ECHO Unit (Block 13, Lot 25).....	Contract Negotiations	“ “ “
Block 21, Lot 4 (520 Mountain Road).....	Contract Negotiations	“ “ “
Executive Session Minutes.....	Attorney-Client Privilege.....	“ “ “
• July 5, 2023		
Affordable Housing.....	Potential 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 7:50 p.m.

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

Executive Session:

Personnel / Police Department Interviews

Mayor Huelsebusch stated that this matter remains in Executive Session.

Personnel / Administration

The following resolution was offered for consideration:

#R-2023-120

**A RESOLUTION AUTHORIZING THE REAPPOINTMENT
OF KARIN PARKER TO THE POSITION OF MUNICIPAL CLERK
AND ESTABLISHMENT OF TENURE**

WHEREAS, Karin Parker was duly appointed and confirmed to the position of Municipal Clerk on August 1, 2020 for a three (3) year term in accordance with N.J.S.A. 40A:9-133, *et seq.*;

WHEREAS, Karin Parker is and has been certified as a Registered Municipal Clerk since October 18, 2012 and has satisfied the continuing education requirements for said certification; and

WHEREAS, the Township Committee is desirous of reappointing Karin Parker, RMC as Municipal Clerk for the Township of Readington effective August 1, 2023; and

WHEREAS, this reappointment has occurred within sixty (60) days of the expiration of the three-year term identified above.

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

1. Karin Parker, RMC is hereby reappointed to the position of Municipal Clerk of the Township of Readington.
2. Karin Parker, RMC is and has upon this reappointment attained tenure pursuant to N.J.S.A. 40A:9-133, *et seq.*

A **MOTION** was made by Mr. Mueller 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

Attorney-Client Privilege / Fire Companies

Mayor Huelsebusch stated that this matter remains in Executive Session.

Personnel / Police Department

The following resolution was offered for consideration:

#R-2023-121

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

WHEREAS, the Jack Mazellan was promoted to Probationary Sergeant on July 3, 2022; and

WHEREAS, Jack Mazellan has completed his Probationary Period as per Township Police Department Contract requirements; and

WHEREAS, James Curry, as Public Safety Director, has supplied a recommendation letter; and

BE IT RESOLVED, this Resolution shall promote Jack Mazellan as permanent Sergeant and his salary shall be increased to the next step as specified in the Collective Bargained Agreement with PBA Unit #317 effective to July 3, 2023; and

BE IT FURTHER RESOLVED, this appointment shall take effect immediately.

A MOTION was made by Mr. Mueller to adopt this resolution, seconded by Mr. Panico 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 / Recreation

The following resolution was offered for consideration:

#R-2023-122

***RESOLUTION AUTHORIZING A SALARY ADJUSTMENT & TITLE CHANGE
FOR LISA BAUM***

WHEREAS, the Township Committee recommends the hourly compensation for Lisa Baum, Recreation Assistant, be increased to \$24.00 per hour; and

WHEREAS, Lisa Baum is authorized to work no more than 29 hours per week.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington the above conditions set forth effective July 10, 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

Personnel / Department of Public Works

The following resolution was offered for consideration:

#R-2023-123

RESOLUTION APPOINTING MECHANIC TO THE DEPARTMENT OF PUBLIC WORKS - BREESE

WHEREAS, the Department of Public Works – Roads has a vacancy for a Mechanic position; and

WHEREAS, the Department has advertised and posted the vacancy internally; and

WHEREAS, there were a number of applications and after interviews with the Director of Public Works and the Public Works Supervisor and mechanics, it is the recommendation to hire Chris Breese as Mechanic for the Department of Public Works in accordance with the contract in place at this time.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Readington Township to hire Chris Breese as Mechanic for the Department of Public Works contingent upon successful completion of the requisite pre-employment physical, effective July 31, 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

The following resolution was offered for consideration:

#R-2023-124

RESOLUTION APPOINTING LABORER TO THE DEPARTMENT OF PUBLIC WORKS - OSET

WHEREAS, the Department of Public Works – Roads has a vacancy for a Laborer position; and

WHEREAS, the Department has advertised and posted the vacancy internally; and

WHEREAS, there were a number of applications and after interviews with the Director of Public Works and Road Supervisor of Public Works, it is the recommendation to hire Troy Oset as Laborer 1 for the Department of Public Works in accordance with the contract in place at this time.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Readington Township to hire Troy Oset as Laborer 1 for the Department of Public Works contingent upon successful completion of the requisite pre-employment physical, effective July 31, 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

Contract Negotiations / Award of 2023-24 Hunting Season Bids

Dreahook (Block 25, Lot 50)

The following resolution was offered for consideration:

#R-2023-125

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the Readington Township Committee (Committee) publicly advertised for hunting bids during the 2023-2024 season on Block 25, Lot 50 (Dreahook Road) in the Township, which property is a Green Acres assisted, publicly assessed property owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on June 27, 2023 the Municipal Clerk conducted the bid opening whereupon the total number of bidders for hunting on the Property were three (3); and

WHEREAS, upon review of the bids, the Administrator determined that the highest bid offered, \$4,452.00 was from 7 Point Pines Hunt Club (hereinafter “7 Pt. Pines”); and

WHEREAS, upon review, the Township Attorney found that the bid from 7 Pt. Pines, the highest bidder in the amount of \$4,452.00 was found to be complete and it is recommended that it be accepted.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, as follows:

1. The Township Committee hereby accepts the recommendation of the Township Attorney and accepts the bid of the highest bidder, 7 Pt. Pines, in the amount of \$4,452.00 for hunting game on Block 25, Lot 50 during the 2023-2024 hunting season.
2. The Municipal Clerk is authorized to notify all those who bid on the Property of this decision.

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

Cole Road (Block 52.01, Lot 14.06)

The following resolution was offered for consideration:

#R-2023-126

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the Readington Township Committee (Committee) publicly advertised for hunting bids during the 2023-2024 season on Block 52.01, Lot 14.06 (Cole Road) in the Township, which property is a Green Acres assisted, publicly assessed property owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on June 27, 2023 the Municipal Clerk conducted the bid opening whereupon the total number of bidders for hunting on the Property were two (2); and

Resolution #R-2023-126 cont'd:

WHEREAS, upon review of the bids, the Administrator determined that the highest bid offered, \$4,697.00 was from Triple A Bow & Hunt Club (hereinafter “Triple A”); and

WHEREAS, upon review, the Township Attorney found that the bid from Triple A, the highest bidder in the amount of \$4,697.00 was found to be complete and it is recommended that it be accepted.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, as follows:

1. The Township Committee hereby accepts the recommendation of the Township Attorney and accepts the bid of the highest bidder, Triple A, in the amount of \$4,697.00 for hunting game on Block 52.01, Lot 14.06 during the 2023-2024 hunting season.
2. The Municipal Clerk is authorized to notify all those who bid on the Property of this decision.

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

Pine Bank Road (Block 55, Lot 13.51)

The following resolution was offered for consideration:

#R-2023-127

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the Readington Township Committee (Committee) publicly advertised for hunting bids during the 2023-2024 season on Block 55, Lot 13.51 (Pinebank Road) in the Township, which property is a Green Acres assisted, publicly assessed property owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on June 27, 2023 the Municipal Clerk conducted the bid opening whereupon the total number of bidders for hunting on the Property were three (3); and

WHEREAS, upon review of the bids, the Administrator determined that the highest bid offered, \$2,850.00 was from Pioneer Bow & Gun Club (hereinafter “Pioneer”); and

WHEREAS, upon review, the Township Attorney found that the bid from Pioneer, the highest bidder in the amount of \$2,850.00 was found to be complete and it is recommended that it be accepted.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, as follows:

1. The Township Committee hereby accepts the recommendation of the Township Attorney and accepts the bid of the highest bidder, Pioneer in the amount of \$2,850.00 for hunting game on Block 55, Lot 13.51 during the 2023-2024 hunting season.
2. The Municipal Clerk is authorized to notify all those who bid on the Property of this decision.

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

Woodschurch Road (Block 63, Lots 19 & 64)

The following resolution was offered for consideration:

#R-2023-128

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the Readington Township Committee (Committee) publicly advertised for hunting bids during the 2023-2024 season on Block 63, Lot 19, 64 (Woodschurch Road) in the Township, which property is a Green Acres assisted, publicly assessed property owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on June 27, 2023 the Municipal Clerk conducted the bid opening whereupon the total number of bidders for hunting on the Property were four (4); and

WHEREAS, upon review of the bids, the Administrator determined that the highest bid offered, \$2,257.00 was from Triple A Bow & Hunt Club (hereinafter “Triple A”); and

WHEREAS, upon review, the Township Attorney found that the bid from Triple A, the highest bidder in the amount of \$2,257.00 was found to be complete and it is recommended that it be accepted.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, as follows:

1. The Township Committee hereby accepts the recommendation of the Township Attorney and accepts the bid of the highest bidder, Triple A, in the amount of \$2,257.00 for hunting game on Block 63, Lot 19, 64 during the 2023-2024 hunting season.
2. The Municipal Clerk is authorized to notify all those who bid on the Property of this decision.

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

Pleasant Run Road (Block 66, Lot 13)

The following resolution was offered for consideration:

#R-2023-129

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the Readington Township Committee (Committee) publicly advertised for hunting bids during the 2023-2024 season on Block 66, Lot 13 (Pleasant Run Road) in the Township, which property is a Green Acres assisted, publicly assessed property owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on June 27, 2023 the Municipal Clerk conducted the bid opening whereupon the total number of bidders for hunting on the Property were three (3); and

WHEREAS, upon review of the bids, the Administrator determined that the highest bid offered, \$3,129.69 was from Pine Bank Road Hunting (hereinafter “Pine Bank Rd.”); and

WHEREAS, upon review, the Township Attorney found that the bid from Pine Bank Rd., the highest bidder in the amount of \$3,129.69 was found to be complete and it is recommended that it be accepted.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, as follows:

1. The Township Committee hereby accepts the recommendation of the Township Attorney and accepts the bid of the highest bidder, Pine Bank Rd. in the amount of \$3,129.69 for hunting game on Block 66, Lot 13 during the 2023-2024 hunting season.
2. The Municipal Clerk is authorized to notify all those who bid on the Property of this decision.

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 / ECHO Unit (Block 13, Lot 25)

The following resolution was offered for consideration:

#R-2023-130

***TOWNSHIP OF READINGTON
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY***

WHEREAS, the Township of Readington (“Township”) is the owner of a certain small (720 sq. feet) modular residential structure known as an Elder Cottage Housing Opportunity (“ECHO”) unit that was originally acquired for the purposes of providing affordable rental housing for senior citizens as part of the Township’s affordable housing program approved by COAH; and

WHEREAS, the aforementioned ECHO unit had been in service since 1993 (more than 20 years) and, during the course of its service, was moved to three different property locations where it was rented to three different tenants, and is in need of repair; and

Resolution #R-2023-130 cont'd:

WHEREAS, the Township's most recent lease has been with tenant Adolfina Estrada and her son landowner Santiago Cuellar, which lease began in 2009 and continues to the present day on property known as Block 13, Lot 25 on the official tax map of the Township, and having an address of 47A Old Hwy. 28, Whitehouse Station, NJ 08889; and

WHEREAS, the aforementioned lease requires that the Township move the unit to another location upon expiration, however, due to past experience with this and other ECHO units, the Township believes it would be cost-prohibitive to move this unit and that it would, further, damage the structure of the building due to its age; and

WHEREAS, the Township has determined that the ECHO unit is no longer needed for public use as the Township will obtain COAH credit via alternate means; and

WHEREAS, the current landowner has requested to retain the ECHO unit on his property for use for his mother; and

WHEREAS, N.J.S.A. 40A:11-36 (6) authorizes the private sale of personal property owned by the governing body if the value is determined to be less than 15% of the municipality's bid threshold; and

WHEREAS, 15% of the Township's bid threshold of \$44,000.00 is \$6,600.00 and, based on past auctions of similar ECHO units in the Township, such units have sold for much less; and

WHEREAS, the Township is willing to sell the unit to the current landowner Santiago Cuellar, Jr. for the same price as the security deposit originally paid to the Township (\$250.00), plus accrued interest, which amounts to \$ 334.10. In return Landowner shall continue to use the unit in accordance with the Township's ordinance and regulations governing ECHO units, and shall further, be responsible for all repair and upkeep of the unit.

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. The Township Committee finds that the Property (ie. the 24' x 30' former ECHO modular structure located on the Cuellar property) is not otherwise needed for public use and, pursuant to N.J.S.A. 40A:11-36(6), authorizes it to be sold via private sale to the Buyer Santiago Cuellar, Jr. for the equivalent of the existing \$250 security deposit being held on file at the Township, together with all accrued interest to date for the estimated amount of \$ 334.10. The ECHO unit shall be subject to the ordinances and rules and regulations of the Township, and as set forth in the Agreement on file with the Township Clerk.

2. The Mayor, Deputy Mayor, Administrator/Clerk of the Township and the Township Attorney are authorized and directed to take all reasonable, necessary and lawful steps including preparation and signing of the contract, bill of sale and execution of any and all other necessary documents toward the sale of the aforesaid Property, in the manner and subject to the terms and conditions specified above and are further authorized and directed to accept payment from the Buyer/Cuellar of the Property.

3. This Resolution shall be effective 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 / Block 21, Lot 4 (520 Mountain Road)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / July 5, 2023

A **MOTION** was made by Mr. Mueller to approve the Executive Session Minutes of July 5, 2023, for content only, seconded by Mr. Heller with a vote of ayes all, nays none recorded.

Potential Litigation / Affordable Housing

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.*

Mr. Heller requested to remove *Item #1* and *#4* from the Consent Agenda

1. * **APPROVAL OF MINUTES** of meeting of July 5, 2023
2. * **Resolution of Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Pulaski Road – Section 4 Improvement Project**

The following resolution was offered for consideration:

#R-2023-131

**TOWNSHIP OF READINGTON
RESOLUTION**

Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Pulaski Road – Section 4 Improvements project

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Readington formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor Juergen Huelsebusch and Clerk are hereby authorized to submit an electronic grant application identified as *MA-2023-Pulaski Rd-Section 4 - Improvements-00493* to the New Jersey Department of Transportation on behalf of the Township of Readington.

BE IT FURTHER RESOLVED that the Mayor Juergen Huelsebusch and Clerk are hereby authorized to sign the grant agreement on behalf of the Township of Readington and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

3. * ***Resolution Authorizing for the Imposition of a Charge to be Added to any Account Owing to the Municipality Where Tendered Payment of Such Account Was Dishonored by a Bank or Depository Institution***

The following resolution was offered for consideration:

#R-2023-132

RESOLUTION AUTHORIZING FOR THE IMPOSITION OF A CHARGE TO BE ADDED TO ANY ACCOUNT OWING TO THE MUNICIPALITY WHERE A TENDERED PAYMENT OF SUCH ACCOUNT WAS DISHONORED BY A BANK OR DEPOSITORY INSTITUTION

WHEREAS, N.J.S.A. 40:5-18 has been enacted to allow a municipality the authority to impose a charge to be added to any account owing to the municipality where a tendered payment of such account was dishonored by a bank or depository institution; and

NOW THEREFOR, BE IT RESOLVED, that the Mayor and Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey hereby authorizes the Township Officials, to impose a fee of \$20.00 for a tendered payment that was dishonored by a bank or depository institution during the current fiscal year; and

BE IT FURTHER RESOLVED, that the Township Officials may require future payments to be tendered in certified check, cashier's check or cash; and

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to all Department Heads and the Municipal Auditor.

4. * ***Permit Fee Refund (Block 66, Lot 27.01)***
5. * ***Request for Release of Board of Health Escrow / Block 45.02, Lot 1.02***
6. * ***Request for Release of Police Escrow / Vadtal Dham Temple***
7. * ***Resolution Authorizing Purchase of Roadside Mower***

The following resolution was offered for consideration:

#R-2023-133

RESOLUTION AUTHORIZING PURCHASE OF ROADSIDE MOWER

WHEREAS, the Readington Township is a member of the Educational Services Commission Cooperative Pricing System; and;

WHEREAS, the Township Department Public Works Department is in need of replacement roadside mower; and

WHEREAS, Montage Enterprises, Blairstown NJ has been awarded the contract for said mower under ESCNJ CO-OP #65MCEACCPS; and

WHEREAS, the estimated cost for the mower is \$90,303.03; and

WHEREAS, the Township Administrator/QPA and Director of Public Works recommend this purchase; and

WHEREAS, the Governing Body budgeted for replacement roadside mower in the 2023 Capital Budget and funded in Ordinance #13-2023; and

Resolution #R-2023-133 cont'd:

NOW THEREFORE BE IT RESOLVED that the Governing Body of the Readington Township authorize the appropriate municipal officials to implement the necessary steps and sign the corresponding purchase orders to effectuate the purchase of said mower; and

BE IT FURTHER RESOLVED that the Chief Financial Officer Certifies that funds are available for this purchase in the budget line listed above.

10. * **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	3-01	\$ 899,476.84
SEWER UTILITY OP FUND	3-02	\$ 532,975.43
CAPITAL FUND	3-04	\$ 172,442.09
OTHER TRUST	X-03	\$ 111,651.95
MISC REFUND, COUNTY TAX LIENS	X-05	\$ 2,508.00
PAYROLL DEDUCTIONS	X-06	\$ 218,296.27
2018 CAP IMPROVEMENTS	X-18	\$ 2,673.00
202-14 VARIOUS CAPITAL	X-22	\$ 3,199.65
2023 CAP IMPROVEMENTS	X-23	\$ 648.00
TOTAL OF ALL FUNDS		\$ 1,943,871.23

A MOTION was made by Mr. Mueller to approve the Consent Agenda (*with the removal of items #1 &4*) , seconded by Mr. Panico 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

Betty Ann Fort commented on proposed sale of the Hunterdon County transfer station.

CORRESPONDENCE / OTHER INFORMATION

1. Letter dated July 5, 2023 from Robin Ray, Township Clerk, Township of Bedminster, in the matter of **An Ordinance Amending Chapter 13 Entitled "Land Management Code" to Amend Section 13-407 "OR-V Office Research Village"**. No action taken.
2. Email dated July 12, 2023 from Katherine Marcopul, Administrator and Deputy State Historic Preservation Officer, NJ Department of Environmental Protection, in the matter of **Darts Mill Historic District - Darts Mill House Application**.

David Owen provided a summary of the project which has now been completed by the Friends of Darts Mill volunteer group.

OLD BUSINESS

1. **An Ordinance Amending Chapter 65 "Alarms" of the Code of the Township of Readington**

Administrator Sheola stated that after the July 5th meeting where the alarm ordinance was originally introduced, several changes needed to be made to the ordinance and advised that this ordinance should be withdrawn and an amended ordinance will be brought back at the August 7th meeting for introduction.

A **MOTION** was made by Mr. Mueller to withdraw Ordinance #16-2023 , seconded by Mr. Panico and on Roll Call vote the following was recorded:

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

NEW BUSINESS

1. ***Resolution Authorizing the Issuance of Not Exceeding \$5,000,000 Tax Anticipation Notes of 2023 of the Township of Readington, in the County of Hunterdon, New Jersey***

Administrator Sheola highlighted the necessity to issue a tax anticipation note due to the current lack of cash flow. Administrator Sheola continued that the delayed tax rate was just received; therefore, the tax payment grace period has been extended to August 15th. Administrator Sheola further explained that the Township’s obligations to the school systems are due August 1st. Mr. Panico indicated that he was in discussions with the school business administrators, and they have indicated flexibility to delay payment.

Deputy Mayor Mueller and Mr. Panico inquired as to why estimated tax bills were not sent out and requested that the Administrator and Chief Financial Officer (CFO) work with the school administrators to defer the payment date rather than incur additional debt.

Administrator Sheola advised that it is his recommendation along with the CFO to fund the emergency although the ultimate decision is that of the Committee. Administrator Sheola maintained that he would prioritize paying the required debt service payment to avoid default, pay employee salaries and evaluate bills such as health benefits, pension and utilities until there is sufficient cash flow.

Mr. Albanese noted that the resolution merely authorizes the CFO to issue the notes and suggested that the resolution be approved with the caveat that the Administrator/and CFO communicate with the schools, and receive in writing, permission that the Township can delay payments. Mr. Albanese stated if that is the case, then the Township would not need to issue that anticipation note.

The following resolution was offered for consideration:

#R-2023-134

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$5,000,000 TAX ANTICIPATION NOTES OF 2023 OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY AS FOLLOWS:

Section 1. In anticipation of the collection of taxes or other revenues during the current fiscal year, there are hereby authorized to be issued tax anticipation notes of the Township of Readington, in the County of Hunterdon, New Jersey (the "Township"), each to be known as a "Tax Anticipation Note of 2023," in amounts not exceeding \$5,000,000. The proceeds of such tax anticipation notes shall be applied only to purposes provided for in the budget or for which taxes are levied for the current year.

Resolution #R-2023-134 cont'd:

Section 2. The following certificate has been prepared by the Township and is filed in the office of the Township Clerk:

CERTIFICATE WITH RESPECT TO TAX ANTICIPATION NOTES

I, Thomas Ferry, Chief Financial Officer of the Township of Readington, in the County of Hunterdon, New Jersey (the "Township") HEREBY CERTIFY as follows:

1. The gross borrowing power in respect to tax anticipation notes for the fiscal year of 2023, being 30 percent of the tax levy for all purposes of the fiscal year of 2022 plus 30 percent of the amount of miscellaneous revenues realized in cash during the fiscal year of 2022, is \$25,360,735.
2. The amount of tax anticipation notes outstanding in anticipation of the collection of taxes of the fiscal year of 2023, except such tax anticipation notes as will be renewed by or paid from the proceeds of the tax anticipation notes to be issued, is \$0.
3. The net borrowing power, being the excess of the first over the second of the two above amounts, is \$25,360,735.
4. This certificate is made with respect to \$5,000,000 Tax Anticipation Notes of 2023 about to be authorized by the "finance officer" of the Township.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of July, 2023.

Thomas Ferry, Chief Financial Officer

Resolution #R-2023-134 cont'd:

Section 3. The following matters in connection with the tax anticipation notes are hereby determined:

(a) All tax anticipation notes issued hereunder shall mature at such times as July be determined by the chief financial officer, provided that no tax anticipation note shall mature later than 120 days following the end of the fiscal year.

(b) All tax anticipation notes issued hereunder shall bear interest at such rate or rates as July be determined by the chief financial officer.

(c) All tax anticipation notes shall be in the form prescribed by the Local Budget Law and otherwise as determined by the chief financial officer and such officer's signature upon the tax anticipation notes shall be conclusive as to such determination;

(d) Tax anticipation notes issued hereunder July be issued in such amounts and renewed from time to time, provided, however, that no renewal tax anticipation note shall be issued later than the last day of the fiscal year.

(e) All tax anticipation notes shall be executed by the Mayor and the Chief Financial Officer and attested by the Township Clerk.

Section 4. The chief financial officer is authorized and directed to determine all matters in connection with the tax anticipation notes not determined by this or by a subsequent resolution and such officer's signature upon the tax anticipation notes shall be conclusive as to such determination.

Section 5. The chief financial officer is hereby authorized to sell the tax anticipation notes from time to time at public or private sale in such amounts as such officer July determine at not less than par and to deliver them from time to time to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof and payment therefor.

Section 6. Any instrument issued pursuant to this resolution shall be a general obligation of the Township, and the full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and the interest on the obligations.

Resolution #R-2023-134 cont'd:

Section 7. The chief financial officer is authorized and is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of the tax anticipation notes pursuant to this resolution is made, such report to include the amount, the description, the interest rate and the maturity of the tax anticipation notes sold, the price obtained and the name of the purchaser.

Section 8. The chief financial officer, in connection with other professionals of the Township acting under her direction, is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document for the Township, as it July be so updated from time to time, to be distributed in connection with the sale of obligations of the Township. The chief financial officer is hereby authorized to execute such disclosure document on behalf of the Township.

Section 9. (a) Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission (the "Rule"), and provided that an issue of tax anticipation notes authorized by this resolution is not exempt from the Rule, for so long as an issue of tax anticipation notes of the Township remains outstanding (other than an issue of tax anticipation notes which has been wholly defeased), the Township shall provide, in a timely manner not in excess of ten business days after the occurrence of the event, to the Municipal Securities Rulemaking Board, notice of any of the following events with respect to the tax anticipation notes:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
- (7) Modifications to rights of security holders, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the securities, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the obligated person;
- (13) The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;

Resolution #R-2023-134 cont'd:

- (15) Incurrence of a Financial Obligation of the Township, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation, any of which affect holders of the Bonds, if material;
- (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the Township, if any such event reflects financial difficulties.

For the purposes of the event identified in subparagraph (12) above, the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets

or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); provided, however, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

(b) The covenants and undertakings contained in this Section 9 are made for the benefit of the holders or beneficial owners of the tax anticipation notes issued under this resolution.

(c) The chief financial officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of tax anticipation notes prior to their offering. Such officer is hereby authorized to enter into written contracts or undertaking to implement this resolution and is further authorized to amend such contracts or undertakings as needed to comply with the Rule or upon the advice of Bond Counsel.

(d) In the event that the Township fails to comply with this resolution or the written contract or undertaking, the Township shall not be liable for monetary damages, remedy of the holders or beneficial owners of the tax anticipation notes being hereby specifically limited to specific performance of the covenants contained in this resolution or the written contract or undertaking.

Section 10. The Township hereby covenants that, if applicable, it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986 (the "Code") in order to preserve the exemption from taxation of interest on the tax anticipation notes, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the tax anticipation notes, and that it will refrain from taking any action that would adversely affect the tax exemption of the tax anticipation notes under the Code. The Township hereby authorizes the Chief Financial officer to act on behalf of the

Resolution #R-2023-134 cont'd:

Township to designate the notes as "bank-qualified" for purposes of Section 265 of the Code when applicable and appropriate based on the advice of counsel.

Section 11. The officers of the Township designated herein include any acting, assistant or interim officer authorized to serve in that position.

Section 12. This resolution shall take effect immediately.

A MOTION was made by Mr. Panico to adopt this resolution on the condition that the Township will only draw down on the funds if they receive notice in writing from Hunterdon Central Regional High School and Readington Township Public Schools that they are unwilling to move their tax payment date to August 15th, 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

2. **Form of Emergency Resolution – NJS 40A4-48**

The following resolution was offered for consideration:

#R-2023-135

**FORM OF EMERGENCY RESOLUTION – NJS 40A:4-48
(Under 3% limitation)**

WHEREAS, an emergency has arisen with respect to Interest on a Tax Anticipation Note and, no adequate provision was made in the 2023 budget for the aforesaid purpose, and NJS 40A:4-46 provides for the creation on an emergency appropriation for the purpose mentioned above, and

WHEREAS, the total amount of the emergency appropriations created, including the Appropriation to be created by this resolution is \$20,000 and three (3) percent of the total Operating appropriations in the budget for 2022 is \$542,074 and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed Three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2022,

NOW, THEREFORE, BE IT RESOLVED, (by not less than 2/3 of all governing body members affirmatively concurring) that in accordance with NJS 40A:4-48:

1. An emergency appropriation is hereby made for Interest on Tax Anticipation Note in the amount of \$20,000.
2. That said emergency appropriation shall be provided for in full in the 2024 budget, and is requested to be excluded from CAPS, pursuant to NJS 40A:4-53.3c (1).
3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

A **MOTION** was made by Mr. Panico to adopt this resolution with the condition that the tax anticipation note is necessary, 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

3. ***Acceptance of Maintenance Surety Bond / Ridge Road Realty (Block 38, Lots 54.11, 54.12 and 54.02)***

A **MOTION** was made by Mr. Albanese to accept the maintenance surety bond, 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

4. ***Application for Special Events Permit and Waiver of Special Event Permit Fees of \$100 / 12th Annual Three Bridges Five Mile Road Race***

A **MOTION** was made by Mr. Albanese to approve the special event permit and waiver of fee, 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

5. ***Resolution to Authorize Execution of Closing Documents to Effectuate the Sale of Block 74, Lot 4 to 124 Rockafellow's LLC***

Mr. Heller inquired about the sale to an LLC versus an individual on this property.

The following resolution was offered for consideration:

#R-2023-136

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the Township of Readington (“Township”), pursuant to N.J.S.A. 40A: 12-13, et seq. held an auction on May 10, 2023 to sell the property it owns known as Block 74, Lot 4 (a preserved farm) in the Township of Readington, County of Hunterdon and State of New Jersey, subject to an agricultural development rights easement held by the County of Hunterdon, and other certain deed restrictions, as well as other terms set forth in the auction specifications; and

WHEREAS, as a result of the auction, the highest bid received to purchase the property was ultimately offered by Mario Leon (hereinafter “Leon”), in the amount of \$750,000.00; this bid was accepted and approved by the Readington Township Committee at its regular public meeting held on June 5, 2023 ; and

WHEREAS, the Township thereafter entered into a contract with Leon in accordance with the offer made, and further, subject to the specifications required by the Township in the auction package, and the parties are proceeding to closing; and

Resolution #R-2023-136 cont'd:

WHEREAS, subsequent to the date of contract, the Buyer requested to assign the contract to 124 Rockafellow's LLC, an entity in which Buyer is the sole member and manager; and

WHEREAS, the Contract permits an assignment with the Township's approval, provided the original buyer has a majority interest in the entity to which it is being assigned. As the Buyer has provided sufficient documentation to support that he is sole member and manager of the intended limited liability company assignee, , the Township Committee is satisfied that the proposal by Leon meets the intentions of the contract.

WHEREAS, the making of this resolution is authorized by N.J.S.A. 40A: 12-13.1, et seq.

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. The Township agrees to and approves the amendment of the aforementioned contract to provide for an assignment from the Buyer Mario Leon to 124 Rockafellow's LLC.

2. On behalf of the Township Committee, the Mayor, Deputy Mayor, Township Administrator, Township Clerk and Township Attorney, as the case may be, are authorized to prepare and sign all closing documentation, including the deed, affidavit of title, closing statements any other documentation needed to effectuate the sale of Block 74, Lot 4 to 124 Rockafellow's LLC , in accordance with the auction terms, the contract, prior resolutions approving same, and this resolution.

3. This Resolution shall take effect immediately.

A **MOTION** was made by Mr. Heller to adopt this resolution, seconded by Mr. Panico 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. *** Resolution of Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Pulaski Road – Section 4 Improvement Project**

This matter was addressed under the Consent Agenda.

7. *** Resolution Authorizing for the Imposition of a Charge to be Added to any Account Owing to the Municipality Where Tendered Payment of Such Account Was Dishonored by a Bank or Depository Institution**

This matter was addressed under the Consent Agenda.

8. **Resolution in Support of the Hunterdon County Transfer Station Sale**

Mr. Heller inquired as to why when previously all Committee members voted in opposition of the sale, there now is a resolution supporting the sale. Mr. Panico inquired if questions/or concerns were ever submitted to Administrator Sheola.

The following resolution was offered for consideration:

#R-2023-137

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the Township of Readington adopted Resolution 2023-90 on June 5, 2023;
and

WHEREAS, the Township of Readington had been notified that the County of Hunterdon is considering the sale of the Hunterdon County Transfer Station/Materials Recovery Facility in Clinton Township; and

WHEREAS, the information originally provided has been clarified and updated; and

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

- 1) Does hereby rescind Resolution 2023-90;
- 2) The Township of Readington Township Committee hereby endorses the proposed sale of the assets of the transfer station.
- 3) A certified copy of this Resolution be forwarded to each of the Hunterdon County Commissioners and the Hunterdon County Clerk of the Board of County Commissioners.

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

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

9. * **Permit Fee Refund (Block 66, Lot 27.01)**

This matter was addressed under the Consent Agenda.

10. * **Request for Release of Board of Health Escrow / Block 45.02, Lot 1.02**

This matter was addressed under the Consent Agenda.

11. * **Request for Release of Police Escrow / Vadtal Dham Temple**

This matter was addressed under the Consent Agenda.

12. * **Resolution Authorizing Purchase of Roadside Mower**

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Sheola stated that he had nothing further to report.

ATTORNEY'S REPORT

Attorney Dragan reported that the Township closed on 17 James Street property.

COMMITTEE REPORTS

JOHN ALBANESE

Mr. Albanese reported that the recreation department is halfway through summer camp and registration for fall programs is currently open.

JONATHAN HELLER

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

JUERGEN HUELSEBUSCH

Mayor Huelsebusch reported that they are looking for an alternative option to National Night Out.

ADAM MUELLER

Mr. Mueller reported that both culverts on Readington Road have been repaired and are now open and work is continuing on Coddington Road.

VINCENT PANICO

Mr. Panico reported on upcoming museum events and requested that the Committee add the Complete and Green Streets resolution back to the next agenda to provide feedback to the Planning Board.

COMMENTS FROM THE PUBLIC

Emanuel Bola inquired about the Township’s plan to mitigate cash flow problems in the future.

COMMENTS FROM THE GOVERNING BODY

Mr. Albanese announced the passing of two long time dedicated volunteers Eugene Nai and Ron Monaco.

As there was no further business, ***A MOTION*** was made by Mr. Mueller at 8:55 p.m. to adjourn the meeting, seconded by Mr. Panico with a vote of ayes all, nays none recorded.

Submitted by:

Karin M Parker, *RMC*
Municipal Clerk