

**READINGTON TOWNSHIP COMMITTEE
MEETING – February 21, 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:

- 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
Fire Official	Personnel	“ “ “
Construction Code	Personnel	“ “ “
Three Bridges Library	Personnel	“ “ “
Amendment to Use & Occupancy Agreement (Saums).....	Contract Negotiations	“ “ “
Professional Services / Princeton Public Affairs Group	Contract Negotiations	“ “ “
Proposal to Prepare a NJ Historic Trust Planning Grant Application, Preservation Plan, Vision Plan and Phase 1A Reports (Darts Mill)	Contract Negotiations	“ “ “
Professional Services / Social Media Management	Contract Negotiations	“ “ “
Sports Proposal	Contract Negotiations	“ “ “

Agricultural Easement (Block 74, Lot 4)... Contract Negotiations “ “ “

Executive Session Minutes..... Attorney-Client Privilege..... “ “ “
• February 6, 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 7:55 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 / Fire Official

Mayor Huelsebusch stated that this matter remains in Executive Session.

Personnel / Construction Code

A **MOTION** was made by Mr. Mueller to accept the resignation of Michelle Fornaciari, Technical Assistant, effective March 3, 2023, and authorize Administrator Sheola to advertise for a replacement, 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 / Three Bridges Library

A **MOTION** was made by Mr. Mueller to approve the request of Jeanne Vitale to work an additional hour every other week, 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 / Amendment to Use & Occupancy Agreement (Saums)

A **MOTION** was made by Mr. Mueller to approve the fifth amendment to the use and occupancy agreement, 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 / Princeton Public Affairs Group (Governmental Relations Matter)

The following resolution was offered for consideration:

#R-2023-47

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, there exists a need in the Township of Readington for Professional Services; and

WHEREAS, the Local Public Contract Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services without competitive bids must be publicly advertised.

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

1. That the following contract has been awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1) (a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:
 - Princeton Public Affairs Group (PPAG) to represent the Township on all governmental relations matters relating to the Township's legislative and regulatory matters at a rate of \$500 per hour
2. Said contract shall expire on December 31, 2023.
3. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
4. This Resolution 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	- Nay
Mr. Mueller	- Aye
Mr. Panico	- Aye
Mayor Huelsebusch	- Aye

Contract Negotiations / Proposal to Prepare a NJ Historic Trust Planning Grant Application, Preservation Plan, Vision Plan and Phase 1A Report / Darts Mill

A MOTION was made by Mr. Mueller to appoint the following residents to the Friends of Darts Mill task force: 1) David Owen, 2) Lauren Huelsebusch, 3) Ryan Dunn, 4) Steve Nees and 5) Mario Orlandi, 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

A MOTION was made by Mr. Mueller to authorize the Township Attorney to draft a lease agreement and ordinance for the lease of the Darts Mill house, 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

A MOTION was made by Mr. Mueller to authorize Clarke Caton Hintz to prepare the grant application for a preservation plan, 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

A MOTION was made by Mr. Mueller to approve a letter of support for Raritan Headwaters Association to make an application to the Nature Conservancy for funding to remove the dam at Darts Mill, 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

Contract Negotiations / Professional Services / Social Media Management

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Sports Proposal

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Agricultural Easement (Block 74, Lot 4)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / February 6, 2022

A MOTION was made by Mr. Mueller to approve the Executive Session Minutes of February 6, 2022, for content only, seconded by Mr. Albanese with a vote of ayes all, nays none recorded. Mr. Mueller abstained since he was not present at the meeting.

Potential Litigation / Affordable Housing

Mayor Huelsebusch stated that this matter remains in Executive Session.

The following matter was added to the Executive Session:

Attorney-Client Privilege / Attorney-Client Privilege

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.*

1. * **APPROVAL OF MINUTES** of meeting of February 6 and February 15, 2023
2. * **State of New Jersey, Department of Environmental Protection Green Acres Program Enabling Resolution for Supplemental Funding Request**

The following resolution was offered for consideration:

#R-2023-48

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM**

ENABLING RESOLUTION for SUPPLEMENTAL FUNDING REQUEST

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Readington has previously obtained a Green Acres loan of \$3,250,000 and/or a Green Acres grant of \$11,775,000 from the State [and an Urban Parks grant of \$0 from the State] to fund the following project(s):

#1022-96-066 Greenway Planning Incentive; and

WHEREAS, the Township of Readington desires to further the public interest by requesting an additional Green Acres loan of \$-0- and/or an additional Green Acres grant of \$1,000,000 [and an additional Urban Parks grant of \$-0- from the State] to fund the project(s); and

WHEREAS, the State shall determine if the supplemental funding request is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, the governing body/board resolves that:

1. Juergen Huelsebusch or the successor to the office of Mayor is hereby authorized to:
 - (a) request such a loan and/or such a grant,
 - (b) provide additional information and furnish such documents as may be required, and
 - (c) act as the authorized correspondent of the above-named applicant; and
2. The applicant agrees to provide the local government/nonprofit share if a match is required.
3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.

Resolution #R-2023-48 cont'd:

4. This resolution shall take effect immediately.

3. * **Release of Police Escrow / Henkels & McCoy**

4. * **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 44, Lot 23 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 \$22,818.24, plus a premium paid in the amount of \$52,000.00, known as Tax Sale Certificate #2022-008, to the lienholder, US Bank Cust/PC8 Firstrust Bank.

5. * **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 84, Lot 6 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 \$9,536.76, plus a premium paid in the amount of \$41,800.00, known as Tax Sale Certificate #2021-006, to the lienholder, WSFS as Cust LVTLOPS/Firstrust.

6. * **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	\$ 98,406.51
SEWER UTILITY OP FUND	2-02	\$ 76,035.78
GENERAL	3-01	\$ 1,238,992.59
SEWER UTILITY OP FUND	3-02	\$ 1,775.05
OTHER TRUST	X-03	\$ 31,251.92
PAYROLL DEDUCTIONS	X-06	\$ 180,884.46
2018 CAP IMPROVEMENTS	X-18	\$ 625.75
2022-14 VARIOUS CAPITAL	X-22	\$ 128,392.74
TOTAL OF ALL FUNDS		\$ 1,756,364.80

A **MOTION** was made by Mr. Albanese to approve the Consent Agenda (Mr. Muller abstained from voting on the February 6, 2023 minutes), 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

There were no comments from the public.

PUBLIC HEARINGS

As it was after 7:45 p.m., A **MOTION** was made by Mr. Mueller to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Panico with a vote of ayes all, nays none recorded.

Clerk read by Title:

**AN ORDINANCE BY THE TOWNSHIP COMMITTEE AMENDING THE TOWNSHIP OF
 READINGTON CODE OF ORDINANCES TO REPEAL PART II, CHAPTER 148, ARTICLE VIIA,
 SECTIONS 79.3 – 79.7 FLOOD DAMAGE PREVENTION TO ADOPT A NEW {Chapter 148 –
 Sections 148-79.3 – 148-79.7.14 FLOOD DAMAGE PREVENTION}; TO ADOPT FLOOD
 HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMNISTRATOR**

ORDINANCE #02-2023

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

There were none.

Mayor Huelsebusch asked if there were any comments from the public.

There were none.

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

Clerk read by Title:

AN ORDINANCE BY THE TOWNSHIP COMMITTEE AMENDING THE TOWNSHIP OF READINGTON CODE OF ORDINANCES TO REPEAL PART II, CHAPTER 148, ARTICLE VIIA, SECTIONS 79.3 – 79.7 FLOOD DAMAGE PREVENTION TO ADOPT A NEW {Chapter 148 – Sections 148-79.3 – 148-79.7.14 FLOOD DAMAGE PREVENTION}; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR

ORDINANCE #02-2023

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

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

A ***MOTION*** was made by Mr. Panico to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

Clerk read by Title:

AN ORDINANCE AMENDING ORDINANCE #01-2022 TO PROVIDE FOR THE ACCEPTANCE OF PROPERTY KNOWN AS BLOCK 73, LOT 15 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM FLOOD

ORDINANCE #03-2023

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

There were none.

Mayor Huelsebusch asked if there were any comments from the public.

There were none.

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

Clerk read by Title:

AN ORDINANCE AMENDING ORDINANCE #01-2022 TO PROVIDE FOR THE ACCEPTANCE OF PROPERTY KNOWN AS BLOCK 73, LOT 15 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM FLOOD

ORDINANCE #03-2023

A ***MOTION*** was made by Mr. Mueller to adopt this ordinance, 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

A ***MOTION*** was made by Mr. Mueller to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Heller with a vote of ayes all, nays none recorded.

Clerk read by Title:

***ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)***

ORDINANCE #04-2023

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

There were none.

Mayor Huelsebusch asked if there were any comments from the public.

There were none.

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

Clerk read by Title:

***ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)***

ORDINANCE #04-2023

A ***MOTION*** was made by Mr. Albanese to adopt 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

CORRESPONDENCE / OTHER INFORMATION

1. Letter dated February 2, 2023 from Jamie Hawn, Senior Manager, Rates and Regulatory, NJ American Water, ***in the Matter of the Petition of New Jersey American Water Company, Inc. for Approval to Change the Levels of its Purchased Water Adjustment Clause and Purchase Wastewater Treat Clause.*** No action taken.
2. Notice of Pending Ordinance from Township of ***Raritan Adopting an Updated Redevelopment Plan for an "Area in Need of Redevelopment" known as the "U.S. Bronze Redevelopment Plan" Consisting of Block 40, Lots 4 & 5.01 as Shown on the Tax Map of the Township of Raritan in Accordance with the N.J.S.A. 40A:12A-7, and Supplementing and Amending Section 296-126 Entitled UBR U.S. Bronze Redevelopment District of the Land Development Code of the Revised General Ordinances of the Township of Raritan.*** No action taken.

OLD BUSINESS

1. ***Waterwatch Advisory Board - Vacancy***

Mr. Heller requested to table the appointment until he has had the opportunity to review the application submitted.

NEW BUSINESS

1. ***Refunding Bond Ordinance Providing for the Payment of Amounts Owing to Others for Taxes Levied in and by the Township of Readington, in the County of Hunterdon, New Jersey, Appropriating \$2,800,000 therefor and Authorizing the Issuance of \$2,800,000 Bonds or Notes of the Township for Financing the Cost thereof***

The following ordinance was offered for introduction:

REFUNDING BOND ORDINANCE PROVIDING FOR PAYMENT OF AMOUNTS OWING TO OTHERS FOR TAXES LEVIED IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING \$2,800,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,800,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING THE COST THEREOF

ORDINANCE #05-2023

BE IT ORDAINED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The Township of Readington, in the County of Hunterdon, New Jersey (the "Township") is hereby authorized to pay an aggregate amount not exceeding \$2,800,000, for amounts owed by the Township to Merck Sharpe & Dohme Corp. and Unicom Science and Technology Park, Inc., as owners of various properties within the Township, for taxes levied in the Township (plus certain costs associated therewith), as more particularly described in the Stipulation of Settlement for such tax appeals, available for inspection in the office of the Township Clerk, which is hereby incorporated by reference as if set forth at length herein. Such amount shall be paid to taxpayers in the form of a refund.

Section 2. An aggregate amount not exceeding \$118,239 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the purpose, negotiable refunding bonds are hereby authorized to be issued in the principal amount of \$2,800,000 pursuant to N.J.S.A. 40A:2-51(a) of the Local Bond Law.

Ordinance #05-2023 cont'd:

Section 4. In anticipation of the issuance of the refunding bonds, negotiable refunding bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, provided that no refunding bond anticipation note shall mature later than one year from its date. The refunding bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with refunding bond anticipation notes issued pursuant to this refunding bond ordinance, and the chief financial officer's signature upon the refunding bond anticipation notes shall be conclusive evidence as to all such determinations.

All refunding bond anticipation notes issued hereunder may be renewed from time to time, but all such refunding bond anticipation notes including renewals shall mature and be paid in accordance with the maturity schedule for the refunding bonds approved by the Local Finance Board; provided, however, that no refunding bond anticipation notes shall be renewed beyond the first or any succeeding anniversary date of the original refunding bond anticipation notes unless an amount of such refunding bond anticipation notes, at least equal to the first legally payable installment of the refunding bonds in anticipation of which the refunding bond anticipation notes are issued, determined in accordance with the maturity schedule for the refunding bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the refunding bond anticipation notes and any renewals thereof and any permanent refunding bonds are outstanding, shall not exceed the period set for the maturity of the refunding bonds by the Local Finance Board.

The chief financial officer is hereby authorized to sell part or all of the refunding bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the refunding bond anticipation notes pursuant to this refunding bond ordinance is made. Such report must include the amount, the description, the interest rate, and the maturity schedule of the refunding bond anticipation notes sold, the price obtained and the name of the purchaser.

Ordinance #05-2023 cont'd:

Section 5. The chief financial officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 6. The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Township as defined in the Local Bond Law is increased by the authorization of the refunding bonds and refunding bond anticipation notes provided in this refunding bond ordinance by \$2,800,000, but that, pursuant to N.J.S.A. 40A:2-53, the net debt of the Township determined as provided in the Local Bond Law is not increased by this refunding bond ordinance. The obligations authorized herein will be within all debt limitations prescribed by that Law.

Section 7. 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 authorized by this refunding bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

Ordinance #05-2023 cont'd:

Section 8. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director and signed by the chief financial officer of the Township as to the indebtedness to be financed by the issuance of the refunding bonds and refunding bond anticipation notes authorized herein.

Section 9. This refunding bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted.

A **MOTION** was made by Mr. Heller to introduce ordinance, 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

The Public Hearing was scheduled for March 20, 2023 at 7:45 p.m.

2. **Resolution Authorizing the Special Tax Counsel for the Township of Readington to Enter into Stipulations of Settlement Relative to the Tax Appeals Captioned Hunterdon Medical Center vs. Readington Township, Tax Court of New Jersey, Docket Nos. 009720-2018, 008929-2019, 010290-2020, 011491-2021 and 009018-2022**

The following resolution was offered for consideration:

#R-2023-49

RESOLUTION AUTHORIZING THE SPECIAL TAX COUNSEL FOR THE TOWNSHIP OF READINGTON TO ENTER INTO STIPULATIONS OF SETTLEMENT RELATIVE TO THE TAX APPEALS CAPTIONED HUNTERDON MEDICAL CENTER VS. READINGTON TOWNSHIP, TAX COURT OF NEW JERSEY, DOCKET NOS. 009720-2018, 008929-2019, 010290-2020, 011491-2021 AND 009018-2022.

WHEREAS, HUNTERDON MEDICAL CENTER (“HMC”), the owners of Block 22, Lot 60 on the Township of Readington’s Tax Assessment Maps, commonly known as 263 Main Street (“Property”), filed an appeal of the denial of an exemption in the 2018, 2019, 2020, 2021 and 2022 tax years in the Tax Court of New Jersey, Docket Nos. 009720-2018, 008929-2019, 010290-2020, 011491-2021 AND 009018-2022; 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

Resolution #R-2023-49 cont'd:

WHEREAS, upon inspection by the Township Tax Assessor, it appears that the Property may have in part arguably been used for administrative hospital purposes for the 2022 tax year which may be exempt from taxation, but arguably may be taxable; and

WHEREAS, the parties have agreed to an acceptable settlement of all of the aforesaid tax appeals for the 2018 through the 2022 tax years which results in the taxation of the entire property for the tax years 2018 through 2021 and 2023, and exempts from taxation \$130,578 of the total assessment of \$544,000 for the year 2022 only; and

WHEREAS, HMC has agreed to waive interest subject to any tax savings as a result of the settlement being made in the form of a tax credit against the Property's tax bills immediately following issuance of the Tax Court Judgment for the 2022 tax year as more fully set forth in the Stipulation of Settlement; and

WHEREAS, HMC agreed to full taxation of the entire Property in 2023 at a total tax assessment of \$544,000 and therefore will not file an appeal in 2023; and

WHEREAS, the aforesaid agreement has no general application to other properties within the Township of Readington as a result of the aforesaid specific facts situation and neither the Township of Readington nor Hunterdon Medical Center concede that this settlement shall be construed that the Property under the given facts situation should be exempt or taxable; and

WHEREAS, the Township Committee makes this settlement with HMC without prejudice to its dealing with any other Readington Township's taxpayers' request for tax exemption; and

WHEREAS, the Township Committee has reviewed a copy of the proposed Stipulation of Settlement, which is annexed hereto and incorporated herein by this reference.

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 Stipulations of Settlement relative to the tax appeals of Hunterdon Medical Center, Docket Nos. , Docket Nos. 009720-2018, 008929-2019, 010290-2020, 011491-2021 AND 009018-2022, as more fully set forth in the attached stipulation of settlement, which is incorporate herein by this reference, which results the assessments for 2018, 2019, 2020, 2021 and 2023 being affirmed and classified as taxable in full; and that in 2022 that the classification of a portion of Block 22, Lot 60 shall be exempt for the year 2022 only, as follows: a total exempt assessment of \$130,578 of a total taxable assessment of \$544,000.
2. The settlement outlined above shall be without prejudice to the Township of Readington's dealings with any other Township taxpayers' request for tax exemption.

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

3. ***Begging and Panhandling Ordinance - discussion***

Mr. Panico requested consideration to establish an ordinance to address panhandling activities that have become aggressive, similar to the ordinance adopted by the City of Trenton back in 1967. Attorney Dragan advised on an opinion as to whether such an ordinance would be deemed constitutional in light of Supreme Court precedent indicating panhandling, solicitation and begging are considered protected speech under the First Amendment and cited several cases regarding this matter. Mr. Mueller and Mr. Albanese expressed concerns on the potential litigation and referred to the Disorderly Conduct ordinance already in place which may address this issue. Mr. Mueller maintained that stricter enforcement is needed and encouraged residents to report issues that they may experience. Administrator Sheola offered to follow up with the Police Department to support more enforcement.

4. ***Request to Hold Annual Coin Toss Fundraisers for 2023 / Three Bridges Fire Company***

A **MOTION** was made by Mr. Mueller to approve the annual coin toss fundraisers, seconded by Mr. Albanese with a vote of ayes all, nays none recorded.

5. ***Resolution in Recognition of James Benson III Attaining Eagle Scout***

The following resolution was offered for consideration:

#R-2023-50

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, James J. Benson III, a valued member of his Boy Scout Troop 186, is a dedicated young man who has earned the respect and admiration of his fellow scouts through his active participation in the many programs sponsored by the Boy Scouts of America; and

WHEREAS, Eagle Scout Candidate James J. Benson III's Eagle Project involved creating four (4) cold frame garden boxes for the Flemington Food Pantry vegetable garden; and

WHEREAS, James created the boxes from scratch without using preset plans and enhanced them with many innovative features such as hook and latches for the windows, metal wire fence bottoms, and plywood covers to protect the boxes from the elements; and

WHEREAS, James' goal was to use the best exterior grade materials such as pressure treated wood that he stained and Benjamin Moore exterior window paint to withstand the elements over the years; and

WHEREAS, the cold frame garden boxes will provide a sheltered area for seedlings and allow more plants to be grown which will increase the amount of produce that the pantry can distribute to those in need in the local community every year; and

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

WHEREAS, on May 6, 2021, James J. Benson III successfully completed his Eagle Board Review and met all requirements for the Eagle Scout and is well deserving of this recognition.

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

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

6. * *State of New Jersey, Department of Environmental Protection Green Acres Program Enabling Resolution for Supplemental Funding Request*

This matter was addressed under the Consent Agenda.

7. * *Release of Police Escrow / Henkels & McCoy*

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Sheola announced the establishment of the Project Lifesaver and File of Life programs. Administrator Sheola also reported that the Community Emergency Response Team (CERT) is seeking volunteers.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

COMMITTEE REPORTS

JOHN ALBANESE

Mr. Albanese reported that registration for spring recreation activities is currently underway and recreation department is looking for counselors 15 years and older.

JONATHAN HELLER

Mr. Heller thanked the emergency services and fire services for their continued efforts.

JUERGEN HUELSEBUSCH

Mayor Huelsebusch stated that he had nothing further to report.

ADAM MUELLER

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

VINCENT PANICO

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

COMMENTS FROM THE PUBLIC

Karen Firing was present and inquired about any proposed work that was being done to address her ongoing concerns regarding the water and damage on her property as a result of the Ryland Developers subdivision.. Ms. Firing presented photos of the existing conditions on her property.

COMMENTS FROM THE GOVERNING BODY

There were none.

The Committee returned to Executive session at 9:00 p.m.

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

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

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

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

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

EXHIBIT A

<u>Subject Matter</u>	<u>Basis Of Public Exclusion</u>	<u>Date Anticipated When Disclosed to Public</u>
Professional Services/.....Contract Negotiations..... Health Insurance	 Certain information at the discretion Township Committee tonight...other Information will remain confidential

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

The meeting reconvened at 9:12 p.m.

Contract Negotiations / Professional Services/Health Insurance

A **MOTION** was made by Mr. Mueller to approve the business agreement with Marsh & McLennan Agency LLC with amendments as discussed, 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

As there was no further business, A **MOTION** was made by Mr. Mueller at 9:15 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