

**READINGTON TOWNSHIP COMMITTEE
MEETING – October 16, 2023**

Mayor Huelsebusch *calls the meeting to order at 4:30 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor J. 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, Twp. Engineer R. O’Brien

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:

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>
Personnel	Potential Litigation.....	Certain information at the discretion of the Township Committee tonight...other Information will remain confidential
388 Readington Realty Holdings LLC vs. .. vs. Twp of Readington	Litigation	“ “ “
Police	Personnel	“ “ “
Zoning	Personnel	“ “ “
Teamsters Local Union # 469	Contract Negotiations	” “ “
PBA # 317	Contract Negotiations	” “ “
Award of Solid Waste & Recyclable Materials Collection / Hauling / Disposal Service	Contract Negotiations	” “ “
Block 55, Lot 34 (James)	Contract Negotiations	” “ “
Block 73, Lots 23.01 & 25.....	Contract Negotiations	“ “ “

Block 21, Lot 4 (Mountain Road)	Contract Negotiations	“	“	“
Block 42, Lot 24 (Pulaski Road)	Contract Negotiations	“	“	“
Block 13, Lot 24 (Old Highway 28)	Contract Negotiations	“	“	“
Easements for Readington Meadows	Contract Negotiations	“	“	“
(Ryland Developers)				
Attorney-Client Privilege	Attorney-Client Privilege.....	“	“	“
Executive Session Minutes.....	Attorney-Client Privilege.....	“	“	“
• <i>September 18, 2023</i>				
Executive Session Minutes.....	Attorney-Client Privilege.....	“	“	“
• <i>September 27, 2023</i>				
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 7:40 p.m.

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

Executive Session:

Potential Litigation / Personnel

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.

Personnel / Police

The following resolution was offered for consideration:

#R-2023-165

RESOLUTION APPOINTING BRANDON GILLIKIN AS PATROL OFFICER

WHEREAS, there exists a need to fill a vacancies 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 Brandon Gillikin 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 Brandon Gillikin during his employment, effective October 17, 2023.

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

The following resolution was offered for consideration:

#R-2023-166

RESOLUTION APPOINTING RYAN DONOVAN AS PATROL OFFICER

WHEREAS, there exists a need to fill a vacancies 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 Ryan Donovan 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 Ryan Donovan during his employment, effective October 17, 2023.

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

The following resolution was offered for consideration:

RESOLUTION APPOINTING ANTHONY ALBANESE AS PATROL OFFICER

#R-2023-167

WHEREAS, there exists a need to fill a vacancies 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 Anthony Albanese 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 Anthony Albanese during his employment, effective October 17, 2023.

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 / Zoning

The following resolution was offered for consideration:

#R-2023-168

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, Christopher Czuba was hired as Zoning Inspector in the Department of Land Use & Development; and

WHEREAS, Christopher Czuba has tendered his resignation on September 26, 2023; and

WHEREAS, the Township Committee hereby accepts Christopher Czuba's resignation.

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

Contract Negotiations / Teamsters Local Union #469

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / PBA # 317

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Award of Solid Waste and Recyclable Materials Collection / Hauling / Disposal Service

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Block 55, Lot 34 (James)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Block 73, Lots 23.01 & 25

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Block 21, Lot 4 (Mountain Road)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Block 42, Lot 24 (Pulaski Road)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Block 13, Lot 24 (Old Highway 28)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Easements for Readington Meadows (Ryland Developers)

Mayor Huelsebusch stated that this matter remains in Executive Session.

Attorney-Client Privilege / Attorney-Client Privilege

Mayor Huelsebusch stated that this matter remains in Executive Session.

Attorney-Client Privilege / Executive Session Minutes / September 18, 2023

A **MOTION** was made by Mr. Mueller to approve the Executive Session Minutes of September 18, 2023, for content only, seconded by Mr. Panico with a vote of ayes all, nays none recorded.

Attorney-Client Privilege / Executive Session Minutes / September 27, 2023

A **MOTION** was made by Mr. Mueller to approve the Executive Session Minutes of September 27, 2023, for content only, seconded by Mr. Albanese with a vote of ayes all, nays none recorded. Mayor Huelsebusch abstained since he was not present at the meeting.

Potential Litigation / Affordable Housing

Mayor Huelsebusch stated that this matter remains in Executive Session.

SWEARING IN OF NEW PATROL OFFICERS

Municipal Clerk Parker swore in Brandon Gilliken as Probationary Patrol Officer.

Municipal Clerk Parker swore in Ryan Donovan as Probationary Patrol Officer.

Municipal Clerk Parker swore in Athony Albanese as Probationary Patrol Officer.

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. Panico requested to remove *Item #1* from the Consent Agenda.

1. * **APPROVAL OF MINUTES** of meeting of September 18th and September 27th (2023)
2. * **Request for Release of Board of Health Escrow / Block 67, Lot 26**
3. * **Request for Permit Fee Refund / Block 34, Lot 36.013**
4. * **Release of Security Deposit / Triple A Rod and Gun Club**
5. * **Release of Security Deposit / Pinebank Road Hunting Association**

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	\$ 83,740.00
GENERAL	3-01	\$ 4,264,488.43
SEWER UTILITY OP FUND	3-02	\$ 119,393.64
OTHER TRUST	X-03	\$ 351,519.37
MISC REFUND, COUNTY		
TAX, LIENS	X-05	\$ 152.00
PAYROLL DEDUCTIONS	X-06	\$ 441,996.58
2014 CAP IMPROVEMENTS	X-14	\$ 887.50
2020 CAP IMPROVEMENTS	X-20	\$ 2,318.00
2021 CAP IMPROVEMENTS	X-21	\$ 1,010.00
2022-14 CAP IMPROVEMENTS	X-22	\$ 68,487.30
2023 CAP IMPROVEMENTS	X-23	\$ 386,660.20
TOTAL OF ALL FUNDS		\$ 5,720,653.02

A *MOTION* was made by Mr. Panico to approve the Consent Agenda (*with the removal of Item #1*) 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

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were none.

PUBLIC HEARING

As it was after 7:45 p.m., 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:

BOND ORDINANCE REAPPROPRIATING \$74,170 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR MUNICIPAL IMPROVEMENTS TO THE HEATING, VENTILATION AND AIR CONDITIONING UNIT IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #23-2023

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

Deputy Mayor Mueller inquired if a list could be provided of any ordinances with outstanding balances and said dollar amounts.

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

Karen Mittleman inquired about funds that were not spent.

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:

BOND ORDINANCE REAPPROPRIATING \$74,170 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSE IN ORDER TO PROVIDE FOR MUNICIPAL IMPROVEMENTS TO THE HEATING, VENTILATION AND AIR CONDITIONING UNIT IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE #23-2023

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

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

Clerk read by Title:

AN ORDINANCE AMENDING CHAPTER 148 “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON WITH RESPECT TO FENCES AND WALLS

Ordinance #24-2023

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.

Shivang Trivedi inquired how this would affect the current fencing requirements.

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 AMENDING CHAPTER 148 “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON WITH RESPECT TO FENCES AND WALLS

Ordinance #24-2023

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

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

Clerk read by Title:

AN ORDINANCE AMENDING CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON LAND USE VOLUME PERTAINING TO BAMBOO PLANTINGS AND OTHER INVASIVE PLANT SPECIES

Ordinance #25-2023

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 CHAPTER 148 ENTITLED “LAND DEVELOPMENT” OF THE CODE OF THE TOWNSHIP OF READINGTON LAND USE VOLUME PERTAINING TO BAMBOO PLANTINGS AND OTHER INVASIVE PLANT SPECIES

Ordinance #25-2023

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

CORRESPONDENCE / OTHER INFORMATION

1. Letter from Kara Kaczynski, Esq., McNally, Yaros, Kaczynski & Lime LLC, on behalf of GBD International, Inc., in the matter of ***Public Hearing on an Application for Relief Relative to the Development of the Property (68 County Line Road, Branchburg)***. No action taken.
2. Letter from Duncan Prime, Esq., Prime & Tuvel, on behalf of Aldi Inc. Center Valley Division, in the matter of a ***Public Hearing for Aldi Inc. Seeking Approval for a Minor Subdivision and Preliminary and Final Major Site Plan Approval for a Commercial Development***. No action taken.

NEW BUSINESS

1. ***An Ordinance Supplementing and Amending Chapter 201 of the Code of the Township of Readington Entitled "Special Events"***

The following ordinance was offered for introduction:

AN ORDINANCE SUPPLEMENTING AND AMENDING CHAPTER 201 OF THE CODE OF THE TOWNSHIP OF READINGTON ENTITLED "SPECIAL EVENTS"

Ordinance #26-2023

BE IT ORDAINED by the Township Committee of the Township of Readington in the County of Hunterdon, State of New Jersey, that a Chapter 201 entitled "Special Events" of the Code of the Township of Readington is amended as follows (language underlined thus signifies new language; language stricken ~~thus~~ signifies deletions:

Section 1. Section 201-1. Purpose and Intent.

The purpose and intent of this chapter is to enable the Township and the Township Committee to have oversight of the type and scope of events to be held within the confines of the Township. Through the input of all operational facets of the Township upon which the special event shall have impact, the Township shall protect the health, safety and welfare of the Township residents and community as a whole.

Section 2. Section 201-2 entitled "Permit required" is hereby amended as follows:

- A. Requirement for permit. Any person or organization desiring to hold any commercial or fund-raising event, ie. concert, race, parade, walkathon, fair, carnival, festival, celebration, balloon festival, bicycle race, running event, show, seasonal farmers market on a nonagricultural property, or other similar event in or upon any public grounds or private property, park, or road of the Township must first apply for, and obtain a permit from the Township Clerk in accordance with the requirements of Sec. 201-3 of this chapter. Any such event which is likely to require the expenditure of Township resources in the form of the Police Department, Fire Department, Department of Public Works, Recreation Department, and/or Emergency Medical Services, shall constitute a special event. To obtain a permit for a special event, the applicant must also satisfy the requirements of Sec. 201-4 of this chapter.
- B. Definition of a special event. An event shall also be considered a "special event" when it involves the closing of a public street; the blocking or restriction of public property; the sale of merchandise, food, or beverages on public property or on private property where otherwise prohibited by ordinance; the installation of a stage, band shell, trailer, van, portable building, grandstand, or bleachers on public property, or on private property where otherwise prohibited, the placement of portable toilets on public property or on private property where otherwise prohibited, or placement of temporary "no parking" signs on a public right-of-way.
- C. Other approvals and/or permits. The issuance of a permit shall not excuse the applicant from securing approvals or permits that may be required from any other governmental agency having jurisdiction over the event, including but not limited to, the Division of Alcoholic Beverage Control, the Department of Environmental Protection, the Board of Health, the County of Hunterdon, or Somerset, and/or the State Agriculture Development Committee.
- D. Outstanding violations. A permit may be denied if there are outstanding governmental zoning, construction, firecode, or other subcode violations against the property.

Section 3. Section 201-3 entitled "Application for permit; exemptions" is hereby amended to as follows:

Ordinance #26-2023 cont'd:

A. Application. A person or organization seeking a permit hereunder shall file an application with the Township Clerk ~~on a form to be provided by the Clerk for that purpose, and~~ utilizing the non-Township sponsored application special events checklist and application form adopted herewith, and included with this Ordinance as “Attachment under Chapter 201” together with the applicable fees and escrow fees. The applicant shall furnish the following information. In the event of a conflict between the language below and the form, the form shall supersede:

(1) The name, mailing address, email address and telephone number(s) of the person, event organizer and/or applicant, requesting the permit.

(2) The name, mailing address, email address, and telephone number(s) of the person, persons, corporation, ~~or~~ association, or organization sponsoring the activity.

(3) The name, email address, and telephone number of the person who will act as ~~chairperson of the special event and be responsible for the conduct thereof~~ the point of contact on-site during the special event.

(4) The name, email address and telephone number of the person who will act as an alternate/emergency contact on-site during the special event.

~~(5)~~(4) A detailed description of the proposed event including the name, type, and location. The applicant shall further specify if the event will be (a) private ie. by invitation only, (b) free and open to the public; (c) whether entry is by participation or registration fee; (d) whether entry is by admission fee, parking fee, or ticket; or (e) other (which shall be further described on the application). and a sketch showing the area or route to be used, along with proposed structures, tents, fences, barricades, signs, banners, and rest room facilities, more commonly referred to as a “footprint.”

(6) The applicant shall specify if the event is a reoccurring or annual event previously approved by the Township. If so, the date of the last event shall be indicated, and a copy of the corresponding special event approval shall be included with the application.

(7) The application shall specify the date(s) of the event and any rain dates, the advertised start and finish times of the event, and the total time anticipated to be devoted to the event on site (including set-up and clean-up time) . ~~(5) The date(s) and hours for which the permit is sought.~~

~~(8)~~(6) Whether or not any music or other entertainment will be provided, either live or recorded, whether there will be an announcer, auctioneer, MC, or host, or other; whether it will be indoors or outdoors, and the hours of the entertainment. If there will be no amplified music, sound or entertainment, the application shall so specify.

~~(9)~~(7) Whether any food or beverages (alcoholic or non-alcoholic) will be served,sold or sampled on premises. The methods of food preparation shall be specified, as well as how it will be served, including whether or not food trucks will be present.

~~(10)~~(8) Whether any police, emergency, or other support staff may be required.

~~(11)~~(9) The location of the event for which the permit is sought, and complete details as to how the applicant intends to provide for crowd control, security, and traffic control (subject to review and recommendation of the Township’s Police Department). The application shall specify whether the following are required, together with the number of personnel needed: police, EMS, fire, public works/roads, and/or other municipal support staff. As provided in other applicable sections of this ordinance, the Township shall be reimbursed for use of Township personnel or emergency services. If there are any special or unusual requirements created as a result of the event, the application shall describe, and the Township shall determine what level of municipal or emergency services participation is needed.

Ordinance #26-2023 cont'd:

(12)(40) The number of participants, spectators, and/or other people that could reasonably be anticipated to attend the event. This number shall include the event organizers, staff, volunteers, and attendees.

(13) i. Applicant shall specify whether any streets, or portions of streets, are requested to be closed or blocked off. If so, the street name and street number range (if less than the entire length) shall be provided, together with a map depicting the area of closure. If the street is a County Road; applicant shall attach evidence of approval from the County in which the road is located.

ii. In the event closure or partial closure of a street or portion of a street is approved or determined necessary by the event, the applicant shall be required to provide written notice to all impacted property owners at least 10 days prior to the event date. For the purposes of this ordinance, "impacted parties" include property owners in close proximity to the event, properties located along the street(s) or portion of the streets to be closed, and any other parties identified by the Township during review. In the event of a total closure, an alternate traffic route or access plan shall be provided.

(14) Applicant shall specify whether or not the event will include rides, inflatables, amusements, fireworks or other pyrotechnic displays, tents, on-site signage, banners, or other displays, and/or generators. If so, sizes and amounts shall be provided, as necessary to complete the review.

(15) An event site plan shall be submitted with the application which describes the area or route to be used, and provides the location, number and size (as applicable) of: proposed structures, tents, fences, barricades, planned ingress and egress locations, parking areas, signs/banners, directional signage, parking pay stations, restroom/port-a-john facilities, parking pay stations, location of emergency services, eating areas, food trucks, garbage, litter and/or recycling receptacles/dumpsters, and any other relevant information.

(16) If the event (or recurring event) involves attendance by more than 200 people, requires the assistance of Township personnel or services, or use of public property, the applicant shall be responsible for providing: (1) a certificate of insurance or surety bond, in an amount acceptable to the Township, naming the Township as an additional insured; and 2) a hold harmless agreement in the form provided by the Township, per par. 18 below, and elsewhere in this ordinance.

(17) The applicant shall be responsible for acquiring all other Township and outside agency approvals having jurisdiction over the event and supplying copies as part of the application or as a condition of approval, as appropriate, including but not limited to permits required from or coordinated with the: a) Construction/Building Code department (such as generators, mechanical equipment, electrical facilities, platforms/stages/scaffolding, tents, and/or heaters); b) Recreation Department (park facility use); c) Board of Health (food concessions/food trucks, portable toilets, and/or animals); d) Municipal Clerk's Office (raffles, games of chance, and/or alcoholic beverage control permits); e) Fire Prevention (fireworks/pyrotechnics, grills/open flame cooking, open burns and/or tents); and (f) County or State agencies having jurisdiction over the event. Notwithstanding anything to the contrary, no event shall be conducted without applicant first supplying copies of all applicable permits to the Township Clerk.

(18)(44) An acknowledgment that if the permit is issued, the applicant will: a) be bound by all applicable Township ordinances, rules, and regulations; and b) be liable for all loss, damage or injury sustained by a person, for whatever reason, which might occur during the special event due to the negligence of those organizers, persons, corporations, or associations.

(19) Signed acknowledgment to be bound by terms of the escrow deposit/fees set forth in this ordinance.

(20)(42) Any other information which the Township Clerk shall find reasonably necessary to assist the governing body in determining whether or not a permit should be issued hereunder, including sufficient insurance protecting the Township for events occurring on public property, per par. 16 above.

Ordinance #26-2023 cont'd:

B. Reference for review. Upon determining that the application is complete, the Township Clerk shall refer the application to the Police Chief or Public Safety Director, Zoning Officer, Construction Code Official, and any other Department Heads, as may be necessary or applicable for preliminary review and recommendation in accordance with Section 201-5 of this ordinance.

C. Exemptions

(1) No permit shall be required for a governmental agency acting within the scope of its function.

(2) No permit shall be required for events sponsored by the Township of Readington.

(3) No permits shall be required for events sponsored by the Readington Township Board of Education, and/or emergency volunteer services of the Township of Readington, except when they involve the closure or obstruction of any public roads or public property.

(4) Non-commercial private parties, celebrations, gatherings, and other events which are conducted by invitation only and are not open to the public and which are conducted on privately-owned lands by the owner thereof unless they involve the anticipated closure or obstruction of any public roads or public property.

Section 4. Section 201-4 entitled "Procedure, fees" shall be amended as follows:

A. The application shall be filed, in writing, with the Township Clerk by the ~~person~~ organizer or persons in charge of or responsible for such event, at least forty-five (45) days before the scheduled date of the event, ~~except for block party requests which shall be filed no less than twenty (20) days before.~~

B. ~~Per section 148-121B(1)(b) as may be amended, A fee of one hundred dollars (\$100.00) shall accompany a request for a permit and shall be used to reimburse the Township for its administrative costs in issuing a permit.~~

(1) Application Fees shall be included with the application to help offset the Township's administrative costs in issuing a permit, as follows:

i. Special Event Permit Fee - \$125.00

ii. Late fee - \$100.00 (due in addition to the fees in "i" or "iii" if application is submitted less than 45 days before the event) .

iii. Special occasion event on preserved farmland that has received approval from the State Agriculture Development Committee (SADC) - \$50.

(2) Escrow Fees/Deposits

i. A deposit of the greater of \$1,000 or 100% of the anticipated cost of costs/expenses as provided by the municipality for use of municipal resources provided in Sec. 201-8 below. Unused portions of escrow fees are refundable upon request and approval by the Township Committee.

ii. Escrow deposits shall be paid not less than five (5) days before the event, or a permit will not be issued.

iii. In addition to the initial escrow deposit, applicants shall be responsible for the reimbursement of any additional costs incurred by the Township for use of its equipment, emergency services, police, DPW, code or subcode, or other support before, at, or after the event, at the same rates incurred by the Township.

D. Permit fees may be amended by resolution of the Township Committee in the future.

Ordinance #26-2023 cont'd:

Section 5. Section 201- 5 entitled "Review of Application; Recommendations and Decision" shall be amended as follows:

A. All special event applications shall be presented to the governing body by the Township Clerk, together with any Department recommendations, at a public meeting not more than 20 days following the filing of the completed application. The Township Clerk may withhold an application from consideration by the governing body if the Township Clerk and/or Township departments determine that the application is incomplete, or if an informed decision cannot be made without first obtaining additional essential information, in which case the applicant shall be advised, in writing, of the nature of the additional or incomplete information required within 20 days following the filing of the completed application.

B. When considering whether to grant a permit application, the governing body shall take the following into consideration one or more of the following, based on any recommendations of the Chief of Police, Public Safety Director, or other applicable Department Heads:

- (1) The proposed event's impact on the public health, public safety and general welfare of the public.
- (2) The impact of the proposed event on the public's enjoyment of the Township's amenities, if applicable.
- (3) The impact of the proposed special event on the Township's resources and/or services.
- (4) Whether or not the proposed event will unreasonably interfere with the public use of the streets and sidewalks and private properties and can be conducted in a safe manner.
- (5) Whether or not the proposed event will conflict with another proposed or scheduled special event in such a fashion that the Township's Police Department and/or other departments would have insufficient manpower to provide for the public safety of the community.
- (6) Whether or not there will be a sufficient number of ambulances, emergency service and fire-fighting equipment and the attendant personnel designated for the special event, and the conduct of the event will require the diversion of too many ambulances, emergency service, fire-fighting equipment, or related personnel as to prevent normal ambulance, emergency, or fire-fighting service for the rest of the Township during the event. The applicant will consult with and comply with any recommendations of the Chief of the Rescue Squad and the Chief of the fire department servicing the locality.
- (7) The manner in which the applicant intends to provide notice of the event to neighborhoods impacted by the proposed special event.
- (8) The governing body shall not consider the content of the speech, actions, or event in reaching its decision on whether to grant the permit or to incorporate any conditions, unless it determine that such conditions meet a strict scrutiny test in conformance with the United States Constitution and the Constitution of the State of New Jersey and there is a compelling public interest in imposing such stipulations.

C. ~~Other requirements that must be met prior to issuance of a permit, if applicable: The items listed below, and any other documentation determined to be provided as a condition of approval must be submitted to the Township Clerk at least five (5) calendar days prior to set-up for the special event activities, if applicable:~~

- (1) The applicant shall obtain all necessary permits for the sale/service/sampling of any alcoholic beverages.
- (2) ~~The applicant have provided~~ Evidence of adequate insurance coverage to the Township, including naming the Township as an additional insured if deemed necessary.

Ordinance #26-2023 cont'd:

(3) The applicant shall have secured and paid for all other permits required under municipal, state, or federal regulations in connection with the special event, including zoning requirements, if applicable.

Section 6. Section 201-6 entitled "Permit with Conditions" shall be amended as follows.

Any permit granted under this chapter may contain conditions reasonably calculated to reduce or minimize dangers and hazards to vehicular or pedestrian traffic and the public health, safety, and welfare, including, but not limited to, changes in time, duration or number of participants, or such conditions as will satisfy the health, safety and welfare concerns set forth in Section 201-5 above. Failure to comply with such conditions may be a cause for denial of future special events permits.

Section 7. Section 201-7. Miscellaneous Provisions.

A. For the purpose of protecting the public health, safety and welfare, the Chief of Police, or Public Safety Director, as appropriate, may order the temporary closing of streets during the special event and shall direct the posting of proper warning or directional signs in connection therewith.

B. Any permit granted under this ordinance must contain a guarantee from the applicant that the areas used for the special event shall be cleaned up as soon after the conclusion of the special event as is reasonably possible. This cleanup shall include, but not be limited to, such items as refreshments, signage and any litter or debris generated from the special event.

Section 8. Section 201-8 entitled "Liability, Revocation of Permit" is hereby amended as follows:

A. Liability. A permit holder shall be bound by all applicable Township ordinances, rules, and regulations, except so expressly set forth in the resolution. The person or persons to whom the permit is issued shall be liable for all loss, damage, or injury sustained by any person whatever by reason of the negligence of the person or persons to whom such permit shall have been issued. The permittee may be required to submit to the Township Clerk prior to the event evidence of liability insurance in an amount required by the governing body, naming the Township as an additional insured. As provided elsewhere in this ordinance, the ~~THE~~ permittee shall be responsible for all additional costs incurred in the event that ~~as a result of this activity,~~ additional resources are needed for the special event, such as but not limited to, manpower and/or equipment.

B. If applicable and recommended by the Township's attorney, the holder of a special event permit shall agree in writing to indemnify and hold harmless the Township, its servants, agents, and employees from any claims caused by the activity covered by such permit. The holder of such permit shall present to the Township ~~Administrator/~~ Clerk a certificate of insurance in advance of the event, which will provide indemnification in a form acceptable to the Township, including listing the Township as an additional insured on the policy, should the event involve more than 200 people, or should it be determined to involve a higher risk of injury or danger to the public health, safety, and welfare, involve the use of Township personnel, equipment, or public property.

C. If the Chief of Police or Public Safety Director, as appropriate, deems it necessary to have additional police officers made available for the purpose of preserving the public health, safety, and welfare during the course of the special event, then the Chief or Public Safety Director, as appropriate, shall so advise the applicant at the time the permit is issued. If additional expenses or costs are incurred for the purpose of providing such police protection, then the holder of the permit shall be required to pay for same or reimburse the Township for such expenses or costs according to the existing policy of the Township on payment of said officers.

Ordinance #26-2023 cont'd:

D. If the Chief of Police, Director of Public Safety, Coordinator of the Office of Emergency Management or the Chief of the Rescue Squad, ~~or Fire Department, or other authorized Township Official, as applicable,~~ determines that it is necessary to have emergency, DPW, construction code/subcode, fire, or rescue squad personnel available at the special event for the purpose of preserving the public health, safety and welfare, then he (they) shall so advise the applicant at the time the permit is issued. The applicant shall be required to pay for same or to reimburse the Township for such expenses or costs according to the existing policy of the Township on payment of said personnel. The applicant shall use local emergency, fire or rescue squad personnel and equipment unless sufficient personnel or equipment is not available; this will be at the discretion of the Chief of the Department. Coordination and logistics of the emergency services will be under the direction of the Chief of the Department.

E. Revocation of Permit. The Chief of Police, Director of Public Safety, Zoning Official, Construction Code Official and/or Fire Official, as applicable, shall have the authority to revoke a permit upon a finding of violation of any rule or ordinance or upon good cause shown.

Section 9. Section 201-2. Violations, Penalties.

A. A person commits a violation of this ordinance if he or she:

- (1) Commences or conducts an event without a permit; ~~or~~
- (2) Fails to comply with any requirement of this ordinance or any provision or condition of an event permit; or
- (3) Conducts an event which substantially deviates from the approved permit.

B. Any person, firm, or corporation found guilty in the Municipal Court of the Township of Readington of a violation of the terms of this ordinance shall be subject to a fine of not more than one thousand dollars (\$1,000.00) or imprisonment for a period not exceeding ninety (90) days, or both, in the discretion of the Municipal Court Judge.

Section 10. Section 201-10. Enforcement.

A. The Police Department of the Township and other authorized personnel shall, in connection with their duties imposed by law, diligently enforce the provisions of this ordinance.

B. The Police Department of the Township and other authorized personnel shall have the authority to eject from the special event area any person or person acting in violation of this ordinance.

C. The Police Department of the Township and any other authorized personnel shall have the authority to seize and confiscate any property, thing, or device used in violation of this ordinance.

Section 11. A copy of the Township's checklist and application form appears below as “Attachment under Chapter 201”:

Section 12. All other language not specifically amended by this ordinance shall remain in full force and effect.

Section 13. This ordinance supersedes and repeals any ordinances, sections, or portion(s) of any other Township ordinance inconsistent herewith.

Section 14. All sections, subsections, and provisions of this ordinance may be renumbered as necessary or practical for codification purposes.

Ordinance #26-2023 cont'd:

Section 15. If any section, paragraph, subdivision, clause, or provision of this ordinance is adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

Section 16. This ordinance shall take effect immediately upon final passage and publication in accordance with law.

“Attachment under Chapter 201”

TOWNSHIP OF READINGTON

WHITEHOUSE STATION, NEW JERSEY 08889



ON-TOWNSHIP SPONSORED SPECIAL EVENT APPLICATION

PERMIT INSTRUCTIONS:

Complete the checklist and event application document in full and submit to the Township Clerk at least **45 days prior to the event**. Failure to submit a completed checklist and associated application documents at least 45 days prior to the event will result in a \$100 late fee in addition to the required application fee.
Please Note: Incomplete applications will not be processed. Please review the application checklist carefully and submit all required items for your event type.

APPLICATION REVIEW PROCESS & OTHER COSTS:

Upon review of your event, it may be determined that Township support staff and/or emergency services will be required. The event organizer is responsible for these costs and will be required to establish the proper escrow accounts for same prior to the event. Consequently, prior to issuance of a permit, the event organizer will be made aware of the requirement for Township support staff and/or emergency services and provided a cost estimate for review, The applicant must provide written confirmation accepting these costs and escrow account requirements before final approval of the special event will be issued.

PERMIT APPROVAL:

Approval of the event, along with any conditions or approval, will be confirmed in writing by memo from the Twp. Clerk to the event organizer listed following review and approval by the Township Committee at a regularly scheduled meeting. The Township Committee’s Meeting Schedule can be found here:
<https://www.readingtontwpnj.gov/agendas-minutes-videos>

Application Checklist		
<input type="checkbox"/> Included		Completed Application Checklist
<input type="checkbox"/> Included		Completed & signed Application Form
<input type="checkbox"/> Included		Application Fee(s): <input type="checkbox"/> Special Event Permit Fee - \$125 <input type="checkbox"/> Late Fee- \$100 (If submitted less than 45 days before event) <input type="checkbox"/> Special occasion event on preserved farmland that has received approval from the State Agriculture Development Committee (SADC) - \$50
<input type="checkbox"/> Included	<input type="checkbox"/> N/A	Event Site Plan detailing the site layout & all items required by your event type
<input type="checkbox"/> Included	<input type="checkbox"/> N/A	Road race route plan with all directional signage & course marked
<input type="checkbox"/> Included	<input type="checkbox"/> N/A	Statement of Special or Unusual Requirements that may be created by virtue of the event
<input type="checkbox"/> Included	<input type="checkbox"/> N/A	Copy of any approved additional permits required as part of this event
<input type="checkbox"/> Included	<input type="checkbox"/> N/A	If this is a reoccurring or annual event previously approved by the Township, please include a copy of your last Special Event Approval with this application.
<input type="checkbox"/> Included	<input type="checkbox"/> N/A	County Authorization for events taking place on County Roads or properties
<input type="checkbox"/> Included	<input type="checkbox"/> N/A	Copy of written request to Twp. Committee for street closing & map depicting area of closure

		Please note: It shall be the responsibility of the applicant to provide written notice to all impacted property owners at least 10 days prior to the event date. Impacted parties may include property owners in close proximity to the event, properties located along the portion of the street(s) to be closed, and any other parties identified by the Township during review.
<input type="checkbox"/> Included	<input type="checkbox"/> N/A	Certificate of Insurance or Surety Bond Information <input type="checkbox"/> Check here if a current annual Certificate of Insurance is already on file with the Township.
<input type="checkbox"/> Included	<input type="checkbox"/> N/A	Completed, signed, Hold Harmless Agreement in favor of the Twp. of Readington <input type="checkbox"/> Check here if a current annual Hold Harmless Agreement is already on file with the Township.

APPLICATION FORM			
Form Instructions: Complete all application questions. Please indicate "N/A" to items not applicable to your event type			
Event Organizer/Applicant Information			
Are you representing an organization sponsoring the event?		<input type="checkbox"/> No <input type="checkbox"/> Yes (Include organization information below)	
Organization's Name:			
Event Organizer: <i>*Please be aware that all correspondence on the review and approval of this application will be directed to the event organizer listed here</i>			
Event Organizer's Address:			
Event Organizer's Phone:		Work:	Cell: E-mail:
Point of contact on-site during the event?		Name:	Cell: E-mail:
Alternative/emergency contact on-site during the event:		Name:	Cell: E-mail:
Name of Event:		Type of Event:	
Location of Event:		Date(s) of Event:	Rain date:
The event is:		<input type="checkbox"/> Private (by invitation only) <input type="checkbox"/> Free & open to the public <input type="checkbox"/> Entry by participation or registration fee <input type="checkbox"/> Entry by admission fee, parking fee, or ticket <input type="checkbox"/> Other:	
Is this a reoccurring or annual event previously approved by the Township?		<input type="checkbox"/> No <input type="checkbox"/> Yes* *If yes, please provide a copy of your most recent Special Event Approval with this application & the date of the last event below. Last event date:	

Hours of event:	Start:	Finish:	<i>(Advertised event timeframe)</i>
Total time on-site:	Start:	Finish:	<i>(Includes set-up and clean-up time)</i>
The event entertainment is:	<input type="checkbox"/> Live music/performances <input type="checkbox"/> Recorded music/performances <input type="checkbox"/> Announcer/auctioneer/MC/host <input type="checkbox"/> No amplified music, sound, or entertainment <input type="checkbox"/> Other:		
Hours of any entertainment types noted above:	Start:	Finish:	
Total number of anticipated attendees: <i>(Include the event organizers, staff, volunteers, and attendees in this total)</i>	Is Township Support Staff being requested for this event?* <input type="checkbox"/> No <input type="checkbox"/> Yes <i>*Complete details for traffic control and security must be provided subject to review/recommendation by the Twp. of Readington Police Department</i>		
	Police:	<input type="checkbox"/> No <input type="checkbox"/> Yes	Number:
	EMS:	<input type="checkbox"/> No <input type="checkbox"/> Yes	Number:
	Fire:	<input type="checkbox"/> No <input type="checkbox"/> Yes	Number:
	Public Works/Roads:	<input type="checkbox"/> No <input type="checkbox"/> Yes	Number:
	Other: (Specify)	<input type="checkbox"/> No <input type="checkbox"/> Yes	Number:
Are street(s) to be closed for the event? <input type="checkbox"/> No <input type="checkbox"/> Yes	Street name(s): Street number range: <i>(If less than entire length of street)</i> Entire length? <input type="checkbox"/> Yes <input type="checkbox"/> No Check here if County Road <input type="checkbox"/> <i>(Attach approval from the County)</i> How will written notice to impacted parties be provided? <input type="checkbox"/> Hand delivery <input type="checkbox"/> Certified mail <input type="checkbox"/> Mail		
Event Activities* <i>*Please note: The proposed location of all event activities noted below must be shown on your Event Site Plan document. An example Site Event Plan is included in this application packet for reference.</i>			
Will alcohol be served, sold, or sampled at this event?		<input type="checkbox"/> No <input type="checkbox"/> Yes	
Will cooking be done on premises for this event?		<input type="checkbox"/> No <input type="checkbox"/> Yes* *If yes, food preparation method:	
Will food trucks be present at this event?		<input type="checkbox"/> No <input type="checkbox"/> Yes	
Will rides, inflatables, or amusements be present at this event?		<input type="checkbox"/> No <input type="checkbox"/> Yes	
Will there be fireworks or other pyrotechnic displays at this event?		<input type="checkbox"/> No <input type="checkbox"/> Yes	

Will there be tents at this event?	<input type="checkbox"/> No <input type="checkbox"/> Yes* *If yes, tent size(s):
Will there be on-site signage, banners, or other displays?	<input type="checkbox"/> No <input type="checkbox"/> Yes* *Type and size(s):
Will there be generators at the event?	<input type="checkbox"/> No <input type="checkbox"/> Yes
Event Logistics & Safety*	
<i>*Please note: The following items should be noted on your Event Site Plan as appropriate. An example Site Event Plan is included in this application packet for reference.</i>	
What provisions are being made for traffic and parking? (Please note planned ingress & egress locations, parking areas, directional signage, parking pay stations and any other relevant information on your Event Site Plan)	
<i>What provisions are being made for crowd control and security?</i>	
What provisions are being made for first aid and fire emergencies? (Please note the location of emergency services on you Event Site Plan.)	
What provisions are being made for additional restrooms/port-a-john facilities? (Please note locations of restrooms/port-a-john facilities on your Event Site Plan.)	
What provisions are being made for the collection and removal of litter and recycling generated by the event? (Please note the location of garbage /recycling receptacles/dumpsters on your Event Site Plan.)	
<u>SIGNATURE REQUIRED</u>	
<p>By signing this application, the event organizer/applicant acknowledges that the issuance of a special event permit does not obligate or require the Township of Readington to provide Twp. services, equipment, or personnel in support of the event.</p> <p>The Township will provide a cost estimate prior to issuance of the permit if it is determined that Township support staff and/or emergency services will be required.</p>	
Signature:	_____
Print Name:	_____
Affiliation with Applicant (if applicable):	_____
Date:	_____

EXAMPLE- EVENT SITE PLAN

CONSIDERATIONS:

- Approximately 240 cars can be parked on 1 acre of space
- Use hay bales and traffic cones to channel pedestrian and motor vehicle traffic
- Rent sign boards and portable lights for safety
- Hire off-duty police officers for traffic management/security



Additional Event Permit Guidance

The event organizer/applicant is responsible for obtaining any additional permits required by the Twp. of Readington in conjunction with this event. Please review the permit types below and contact the individual departments directly to obtain additional information and required application documents.

CONSTRUCTION/BUILDING DEPT. PERMITS	RECREATION PERMITS	BOARD OF HEALTH PERMITS
Webpage: https://www.readingtontwpnj.gov/departments/construction-code-office Phone: 908.534.2164	Webpage: https://readingtonrecreation.org/ Phone: 908.534.9752	Webpage: https://www.readingtontwpnj.gov/boards-committees/bd-of-health Phone: 908.534.4051 x 234
<input type="checkbox"/> Generators <input type="checkbox"/> Mechanical Equipment <input type="checkbox"/> Platforms/Stages/Scaffolding <input type="checkbox"/> Tents <input type="checkbox"/> Heaters	<input type="checkbox"/> Park Facility Use	<input type="checkbox"/> Food Concessions/Food Trucks <input type="checkbox"/> Portable Toilets <input type="checkbox"/> Animals

MUNICIPAL CLERK PERMITS	FIRE PREVENTION PERMITS
Webpage: https://www.readingtontwpnj.gov/departments/clerk Phone: 908.534.4051 x223	Webpage: https://www.readingtontwpnj.gov/departments/fire-prevention Phone: 908.806.6100
<input type="checkbox"/> Raffles/Games of Chance <input type="checkbox"/> Alcoholic Beverage*	<input type="checkbox"/> Fireworks/Pyrotechnics <input type="checkbox"/> Grills/open flame cooking <input type="checkbox"/> Food Trucks <input type="checkbox"/> Open burns <input type="checkbox"/> Tents

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 November 6, 2023 at 7:45 p.m.

2. *An Ordinance Amending a Chapter of the Code of the Township of Readington Regarding Hotel and Motel Tax*

The following ordinance was offered for introduction:

***AN ORDINANCE AMENDING A CHAPTER OF THE CODE OF THE TOWNSHIP OF
READINGTON REGARDING HOTEL AND MOTEL TAX***

Ordinance # 27- 2023

BE IT ORDAINED by the Township Committee of the Township of Readington in the County of Hunterdon, State of New Jersey, that Chapter 135, entitled “Hotels and Motels” is hereby amended to the Code of the Township of Readington as follows:

The following language is added:

SECTION 1.

It is the purpose of this chapter to implement the provisions of P.L. 2003, c.114.

§ 135-30 TAX ESTABLISHED.

There is hereby established a Hotel and Motel Room Occupancy Tax ("Hotel Tax") in the Township of Readington which shall be fixed at a rate of 1% on charges of rent for every occupancy on or after the effective date of the tax but before July 1, 2004, and 3% on charges of rent for every occupancy on or after July 1, 2004, of a room or rooms in a hotel subject to taxation pursuant to subsection (d) of section 3 of P.L. 1966, c. 30, (N.J.S.A. 54:32B-3). The Hotel Tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room.

§ 135-31 TAX TO BE PAID BY PURCHASER.

In accordance with the requirement of P.L. 2003, c. 114:

a. The Hotel Tax shall be paid by the purchaser.

b. A vendor shall not assume or absorb any part of the Hotel Tax.

c. A vendor shall not in any manner advertise or hold out to any person or to the public in general, in any manner, directly or indirectly that the Hotel Tax will be assumed or absorbed by the vendor, that the Hotel Tax will not be separately charged and stated to the customer, or that the Hotel Tax will be refunded to the customer.

d. Each assumption or absorption by a vendor of the tax shall be deemed a separate offense and each representation or advertisement by a vendor for each day that the representation or advertisement continues shall be deemed a separate offense.

§ 135-32 COLLECTION OF TAX.

The Hotel Tax shall be collected on behalf of the Township by the person collecting the rent from the hotel or motel customer. Each person required to collect the Hotel Tax shall be personally liable for the tax imposed, collected, or required to be collected. Any such person shall have the same right in respect to collecting the Hotel Tax from a customer as if the tax were a part of the rent and payable at the same time; provided that the Chief Financial Officer of the Township shall be joined as a party in any action or proceeding brought to collect the Hotel Tax.

§ 135-33 COMPLIANCE WITH P.L. 2003, L.C. 114 REQUIRED.

This tax shall be collected and administered in accordance with the provisions of P.L. 2003, c. 114.

Ordinance #27-2023 cont'd:

§ 135-34 **VIOLATIONS AND PENALTIES.**

Any person who shall cause, assist in, contribute to, or permit a violation of this chapter shall be penalized upon conviction by a fine of not less than \$100 and not more than \$1,500, or imprisonment for not more than 90 days, or both. Each day during which any violation shall continue shall be deemed a separate offense.

SECTION 2. Repealer. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 3. Severability. If the provision of any article, section, subsection, paragraph, subdivision, or clause of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such order or judgment shall not affect, impair, or invalidate the remainder or any such article, section, subsection, paragraph, subdivision, or clause and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 4. Renumbering. The sections, subsection and provisions of this Ordinance may be renumbered as necessary or practical for codification purposes.

SECTION 5. Effective date. This Ordinance is subject to final passage and publication according to law.

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

The Public Hearing was scheduled for November 6, 2023 at 7:45 p.m.

3. ***Request for Release of Performance Bond / Toll Brothers, Inc Regency at Readington Phase 5***

The following resolution was offered for consideration:

**TOWNSHIP OF READINGTON
RESOLUTION**

#R-2023-169

WHEREAS, Toll Brothers did on August 13, 2023 file a written request with the Township of Readington for a release of Cash Performance Guarantee Check #095867789 in the amount of \$26,872.99 and Performance Bond #019050103 in the amount of \$241,856.87 for work completed on Block 36, Lot 49 (Regency at Readington, Phase 5); and

WHEREAS, the Township Engineer has confirmed that a certain amount of work has been done by Toll Brothers on said property; and

WHEREAS, in accordance with the Municipal Land Use Law the Township may retain up to 30% of a Performance Bond to assure the completion of site work;

Resolution #R-2023-169 cont'd:

WHEREAS, the Township Engineer has supplied a released bond amount for Cash Performance Guarantee Check #095867789 and Performance Bond #019050103, as indicated in his letter of September 11, 2023 based upon the Municipal Land Use Law requirement:

BOND OR CHECK	REMAINING PERFORMANCE GUARANTY @ 120%	RECOMMENDED REDUCTION FOR WORK COMPLETED	REMAINING PERFORMANCE GUARANTY
Liberty Mutual Insurance #019050103	\$241,856.87	\$241,856.87	-0-
Check #095867789	\$ 26,872.99	\$ 26,872.99	-0-
Total	\$268,729.86	\$268,729.86	-0-

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that authorization is hereby given to release Cash Performance Guarantee Check #095867789 and Performance Bond #019050103, as recommended by the Township Engineer; and

BE IT FURTHER RESOLVED that release of the performance bond is contingent upon 1) the receipt of sign-offs from all other applicable Township departments and 2) an acceptable two-year maintenance guarantee in the amount of \$103,693.35 being submitted to and approved by the Township Engineer and Township Attorney’s office.

BE IT FURTHER RESOLVED, that authorization is given to the Township Clerk to forward copies of this Resolution approving these released amounts to the applicant.

A MOTION was made by Mr. Panico 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

4. Application for Special Events Permit / Silver Bit and Spur Paso Fino Horse Show

The Construction Code official recommended that the application be denied since the Certificated of Occupancy clearly stated that the structure holding the event should not be used for horse shows or public events, expressing concern for the public safety of attendees . Mr. Sanchez, La Finca Silver Bit and Spur Farm, indicated he was unaware of the restriction and agreed to hold the event outdoors. Deputy Mayor Mueller and Mr. Panico requested that, in the future, any denials received are communicated to the applicant in advance.

A MOTION was made by Mr. Panico to conditionally approve the special event permit, *as an outdoor event only*, provided that the applicant submit a revised application and obtain the necessary approvals from the Township officials, seconded by Mr. Mueller and on Roll Call vote the following was recorded:

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

5. ***Application for Special Events Permit / Readington Brewery and Hop Farm / Bull Riding Exhibition***

The Committee suggested that due to the complaints of the noise levels from neighboring residents and the numerous music events held at the Brewery, this matter be tabled at this time.

A ***MOTION*** was made by Mr. Panico to table the special event permit until a meeting can be held with the applicant and the Township officials to address noise complaints and frequency of events, 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

6. ***Request to Hold Annual Coin Toss Fundraiser / Whitehouse 1 Fire Company***

A ***MOTION*** was made by Mr. Heller to approve the coin toss fundraiser, 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

7. ***Resolution Opposing HR 3372, Which Would Establish a 10-Year Pilot Program for states to Test 91,000 Pound Trucks*** - letter from Shaun Van Doren, Commissioner Hunterdon County Board of Commissioners, requested resolution of support

The following resolution was offered for consideration:

#R-2023-170

RESOLUTION OPPOSING H.R. 3372, WHICH WOULD ESTABLISH A 10-YEAR PILOT PROGRAM FOR STATES TO TEST 91,000 POUND TRUCKS

WHEREAS, H.R. 3372, was introduced in the House of Representatives on May 16, 2023, and would create a program for states to “test” 91,000-pound trucks on their roads; and

WHEREAS, this increase to 91,000 pounds, represents a nearly 14% increase over the current large rigs which are approximately 80,000 pounds in weight; and

WHEREAS, a 2023 joint study prepared by the *National Association of Counties* and *National Association of County Engineers* found that 72,000 local bridges across the country can’t safely handle 91,000-pound trucks and that it would cost \$61 billion to replace them; and

WHEREAS, according to the USDOT, even with a 6th axle distributing the load, 91,000-pound trucks would only pay for about 55% of their damage to roads and bridges; and

WHEREAS, since Congress last raised truck weights, the number of trucks registered in the U.S. and the miles they drive have increased by 91%; and

WHEREAS, Hunterdon County is home to numerous small and historic bridges that currently cannot handle existing heavy trucks that are on roadways; and

Resolution #R-2023-170 cont'd:

WHEREAS, existing truck traffic presents numerous challenges to Hunterdon County's municipalities including its numerous, small historic downtowns; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington hereby opposes H.R. 3372, and calls upon its federally elected representatives to oppose this legislation; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to U.S. Representative Tom Kean U.S. Senators Robert Menendez and Cory Booker and the Hunterdon County Board of Commissioners.

BE IT EVEN FURTHER RESOLVED, that the Municipal Clerk send a copy of this resolution to all Hunterdon County municipalities, with a request that they adopt a similar resolution.

A **MOTION** was made by Mr. Panico to adopt this resolution, 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

8. **Resolution Supporting Assembly Bill No. 975 and Senate Bill No. 2643 Sponsored by Assembly Minority Leader John DiMaio and Senator Dough Steinhardt; Requiring Commercial Motor Vehicles to be Equipped with Certain Global Positioning Systems** – letter from Shaun Van Doren, Hunterdon County Board of Commissioners, requesting resolution in support

Mr. Heller stated that the resolution restricts commercial motor vehicles at the local level and opined that if anything, the restrictions should be at the state level.

The following resolution was offered for consideration:

#R-2023-171

SUPPORTING ASSEMBLY BILL NO. 975 AND SENATE BILL NO. 2643 SPONSORED BY ASSEMBLY MINORITY LEADER JOHN DIMAIO AND SENATOR DOUG STEINHARDT, REQUIRING COMMERCIAL MOTOR VEHICLES TO BE EQUIPPED WITH CERTAIN GLOBAL POSITIONING SYSTEMS

WHEREAS, bipartisan Assembly Bill No. 975 sponsored by Assemblyman Joh DiMaio and Assembly Daniel Benson would require a commercial motor vehicle operating upon public highways of this State, to be equipped with a global positioning system navigation program that provides information about upcoming highway infrastructure with low vertical clearance and weight restrictions and dynamic route directions that account for commercial motor vehicle restrictions; and

WHEREAS, the legislation defines a “commercial motor vehicle” as a select group of vehicles with a gross vehicle weight rating of 26,001 or more pounds, or that display a gross vehicle weight rating of 26,001 or more pounds; and

WHEREAS, commercial motor vehicles have restricted routes of travel that are not readily displayed on civilian navigation systems that are sometimes used by operators of commercial motor vehicles; and

Resolution #R-2023-171 cont'd:

WHEREAS, because of limited information on civilian navigation systems, commercial motor vehicle operators often unintentionally end up on restricted weight roadways or are stopped along their route by a restricted weight bridge; and

WHEREAS, Hunterdon County has sustained damages to roadways and bridges as a result of overweight trucks traveling on them; and

WHEREAS, unless identified by a camera, or law enforcement personnel, Hunterdon County taxpayers are on the hook for the cost of repairs to infrastructure damaged by large trucks; and

WHEREAS, this legislation is also important given the number of historic bridges, culverts, and downtowns located throughout Hunterdon County that cannot accommodate large commercial vehicles and cause considerable disruption to local traffic flow; and

NOW THEREFORE, BE IT RESOLVED, that the Township of Readington does hereby support Assembly Bill No. 975 and Senate Bill No. 2643; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to members of the 15th, 16th and 23rd Legislative Districts and the Clerk of the Board of the Hunterdon County Commissioners.

BE IT EVEN FURTHER RESOLVED, that the Municipal Clerk send a copy of this resolution to all Hunterdon County municipalities, with a request that they adopt a similar resolution.

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

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

9. **Resolution Approving an \$6,500 Interest Free Loan via the Affordable Housing Trust Fund to Owner of Property Located at 224 Dove Cote Court**

The following resolution was offered for consideration:

#R-2023-172

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

WHEREAS, the Township of Readington (“Township”) offers an Affordability Assistance Program which was authorized by Ordinance #09-2020 adopted on March 16, 2020, and is more specifically set forth within the Township’s 2020 Amended Third Round Housing Element and Fair Share Plan endorsed by the Township Committee of Readington Township by Resolution R-2020-63 adopted on June 15, 2020; and

WHEREAS, the aforementioned Affordability Assistance Program is designed to help homeowners living in affordable housing units in Readington Township with replacing appliances that have broken or are at the end of their lives, and no longer run efficiently; and

WHEREAS, the Township offers this assistance as an interest free loan through the Affordable Housing Trust Account, to be paid back when the home transfers to the next owner, the property ceases to be a principal residence of the owner, or sooner, if the homeowner chooses to do so; and

Resolution #R-2023-172 cont'd:

WHEREAS, Michael Joseph Appel, Jr. (“Applicant”), who owns and resides at a condominium unit on 224 Dove Cote Court, Whitehouse Station, NJ 08889 (the “Property”), has applied to participate in the Affordability Assistance Program; and

WHEREAS, the Readington Township Housing Office has determined that Applicant is eligible, and has been approved to participate in the Affordability Assistance Program in order to replace the HVAC system at the Property ; and

WHEREAS, the interest free loan will be in the amount of \$6,500.00; and

WHEREAS, the CFO has certified that funds are available to provide this loan.

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

1. The Township Committee finds that the Applicant Michael Joseph Appel, Jr., owner of the affordable housing unit located at 224 Dove Cote Court, Whitehouse Station, NJ 08889 (Readington Township) is eligible and approved for participation in the Readington Township Affordability Assistance Program, and will be granted an \$6,500.00 interest free loan via the Affordable Housing Trust Fund for replacement of the HVAC system at the Property, which loan shall be paid back when the home transfers to the next owner, or sooner.
2. The Mayor, Deputy Mayor, Administrator/Clerk of the Township, Municipal Housing Liaison, and the Township Attorney are all authorized and directed, as applicable, to take all reasonable, necessary and lawful steps including preparation and signing of all necessary documents, in the manner and subject to the terms and conditions specified above,
3. This Resolution shall be effective immediately.

A MOTION was made by Mr. Albanese 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

10. **Release of Police Escrow / NJ Festival of Ballooning**

Mr. Panico requested to remove this matter from the consent agenda since he would need to abstain.

A MOTION was made by Mr. Mueller to approve the release of police escrow, seconded by Mr. Heller and on Roll Call vote the following was recorded:

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

11. *** Request for Release of Board of Health Escrow / Block 67, Lot 26**

This matter was addressed under the Consent Agenda.

12. * ***Request for Permit Fee Refund / Block 34, Lot 36.013***

This matter was addressed under the Consent Agenda.

13. * ***Release of Security Deposit / Triple A Rod and Gun Club***

This matter was addressed under the Consent Agenda.

14. * ***Release of Security Deposit / Pinebank Road Hunting Association***

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Sheola reported that the 2024 budget and capital improvement planning process is beginning.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

ENGINEER'S REPORT

Engineer O'Brien reported that approval was received from Bedminster to put up the weight restriction signs on Lamington Road and that he sent a grant opportunity to the Department of Public Works for review that would include pavement preservation, pedestrian safety, truck safety and mobility. Engineer O'Brien also reported that there is another funding opportunity from the Highlands Council to help with MS4 permit compliance.

COMMITTEE REPORTS

JOHN ALBANESE

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

JONATHAN HELLER

Mr. Heller reported that the well testing in conjunction with Raritan Headwaters is currently ongoing and all information is available on the Township website.

JUERGEN HUELSEBUSCH

Mayor Huelsebusch stated that he had nothing further to report.

ADAM MUELLER

Mr. Mueller reviewed the correspondence received from Branchburg and cautioned residents to beware of the proposed projects.

VINCENT PANICO

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

COMMENTS FROM THE PUBLIC

Shivang Trivedi and Arun Singh were present to complain about the level of noise coming from the music at the events held at the Readington Brewery.

Betty Ann Fort spoke to the new special event process in regard to events on preserved farms.

Lisa Routel expressed concern about people who are parking illegally at Summer Road Park and the participants who are using the park other than residents of the Township.

COMMENTS FROM THE GOVERNING BODY

Mr. Heller spoke to the removal of the Township Recreation Facebook page and the criteria for what information is posted on the Township Facebook page. A discussion took place on the Readington Township Facebook page and Mayor Huelsebusch stated there would be a Facebook presentation at the next meeting.

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, 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>
Chief Financial Officer.....	Personnel.....	Certain information at the discretion Township Committee tonight...other Information will remain confidential
Professional Services	Contract Negotiations	“ “ “

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

Personnel / Chief Financial Officer

Mayor Huelsebusch stated that this matter remains in Executive Session.

Contract Negotiations / Professional Services

Mayor Huelsebusch stated that this matter remains in Executive Session.

As there was no further business, *A MOTION* was made by Mr. Albanese at 9:20 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