

**READINGTON TOWNSHIP COMMITTEE
MEETING – September 20, 2010**

Mayor Shamey *calls the meeting to order at 6:30 p.m.* announcing that all laws governing the Open Public Meetings Act have been met and that this meeting has been duly advertised.

PRESENT: Mayor G. Shamey, Deputy Mayor Gatti, Mrs. J. Allen, Mr. T. Auriemma
Mrs. B Muir

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan

ABSENT: None

EXECUTIVE SESSION:

Clerk read the following Resolution:

RESOLUTION
EXECUTIVE SESSION

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

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

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

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>
Police.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will be confidential
Fire Prevention Office.....	Personnel.....	“ “ “
Deer Management Program.....	Contract Negotiations.....	“ “ “
NW Financial.....	Contract Negotiations.....	“ “ “
109 Dove Cote Court.....	Contract Negotiations.....	“ “ “
Maintenance Agreement..... Block 94, Lot 11	Contract Negotiations.....	“ “ “
Maintenance Agreement..... Block 94, p/o Lot 8	Contract Negotiations.....	“ “ “
Block 64, Lots 26 & 40..... (Lackland)	Contract Negotiations.....	“ “ “
Executive Session Minutes..... (September 7, 2010)	Attorney-Client Privilege.....	“ “ “

Block 48, Lot 23; Block 55, Lot 33,. Litigation..... “ “ “
Block 56, Lots 1, 3, 6 & 8; Block
Lot 24 and Block 67, Lot 2
(Solberg Aviation)

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 Mrs. Muir to adopt this resolution, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

The meeting reconvened at 8:00 p.m.

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

Mayor Shamey announced that the following business was completed during Executive Session:

Personnel/Police

A **MOTION** was made by Mr. Gatti to promote Vincent Corsentino from Probationary Sergeant to Sergeant at the salary grade level per Sergeant’s contract, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Personnel/Fire Prevention Office

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations/Emergency Services

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations/Deer Management Program

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations/NW Financial Group

The following resolution was offered for consideration:

#R-2010-114

***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.

Resolution #R-2010-114 cont'd:

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:
 - NW Financial Group, LLC (NW) to represent the Township on financial advisory services not to exceed \$10,000
2. Said contract shall expire on December 31, 2010.
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. Gatti to adopt this resolution, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

Contract Negotiations/109 Dove Cote Court

A **MOTION** was made by Mrs. Muir to approve the contract of sale as amended, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations/Maintenance Agreement/Block 94, Lot 11/Barry Quick

A **MOTION** was made by Mr. Auriemma to approve the maintenance agreement subject to approval of the contract purchaser of the property, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Contract Negotiations/Maintenance Agreement/Block 94, p/o Lot 8/Barry Quick

A **MOTION** was made by Mrs. Muir to approve the maintenance agreement, seconded by Mr. Gatti and on Roll Call vote the following was recorded:

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

Contract Negotiations/Block 64, Lots 26 & 40 (Lackland)

Mayor Shamey stated that this matter remains in Executive Session.

Attorney –Client Privilege/Executive Session Minutes (September 7, 2010)

A ***MOTION*** was made by Mrs. Muir to approve the Executive Session Minutes of September 7, 2010 for content only, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Litigation/Solberg Aviation / Block 48, Lot 23; Block 55, Lot 33; Block 56, Lot 1, 3, 6 & 8; Block 39, Lot 24 and Block 67, Lot 2

Mayor Shamey stated that this matter remains in Executive Session; however, Mayor Shamey stated that a mediation meeting has been scheduled with Judge Accurso.

CONSENT AGENDA:

Mayor Shamey 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 September 7, 2010
- * 2. **Resolution to Correct Authorizing Statute Pertaining to Sales of Real Property**

The following resolution was offered for consideration:

#R-2010-115

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the Township of Readington (“Township”) adopted Resolution #2010-70 on May 17, 2010 authorizing the sale of property it owns, Block 93, Lot 1.01 in the Township of Readington, County of Hunterdon and State of New Jersey, consisting of approximately .705 +/- acres by public auction on June 23, 2010; and

WHEREAS, the Township wishes to correct the authorizing statute cited in the aforesaid Resolution from N.J.S.A. 40A:11-36 to N.J.S.A. 40A:12-13 et seq, which pertains to sales of real property.

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

- 1. The Township Committee hereby amends aforementioned Resolution #2010-70 to correct the statutory citation to read N.J.S.A. 40A:12-13 et seq. which pertains to the sale of real property instead of N.J.S.A. 40A:11-36 which pertains to the sale of personal property. All other portions of said Resolution not amended in this Resolution are hereby confirmed.

Resolution #R-2010-115 cont'd:

2. This Resolution shall take effect immediately.
- * 3. **Resolution Authorizing the Mayor, Deputy Mayor, Township Administrator/ Clerk and Township Attorney to Prepare and Sign Necessary Closing Documentation relative to the Closing of this Property (Block 93, lot 1.01)**

The following resolution was offered for consideration:

#R-2010-116

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, the Township of Readington (“Township”), pursuant to N.J.S.A. 40A:12-13, and 40A:11-36 et seq. held an auction on June 23, 2010 to sell a portion of property it owns formerly known as Block 93, Lot 1 in the Township of Readington, County of Hunterdon and State of New Jersey, consisting of approximately .705+/- acres (now know as Block 93, Lot 1.01);

WHEREAS, as a result of the auction, the highest bid received to purchase the property was offered by Mary Erin Brennan (hereinafter “Brennan”), in the amount of \$135,000.00; this bid was both accepted and the contract approved by the Readington Township Committee at the meeting held on July 6, 2010; and

WHEREAS, the parties are now ready to close the transaction; and

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

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

1. On behalf of the Township Committee, the Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as the case may be, are authorized to prepare and sign any necessary closing documentation, including the deed, affidavit of title, closing statements and any other documentation needed to effectuate the sale of Block 93, Lot 1.01 to Brennan, in accordance with the bid specifications, contract and this resolution.
2. This Resolution shall take effect immediately.

- * 4. **Division of Land Use Regulation Application Form – Stickney Museum (Footbridge Super Structure)**

The following resolution was offered for consideration:

#R-2010-117

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, there is a need to replace an existing Stickney Museum Footbridge superstructure that crosses a tributary to the Pleasant Run; and

WHEREAS, Readington Township has consented to the NDEP Land Use Regulation Application; and

Resolution #R-2010-117 cont'd:

WHEREAS, the Township Committee of the Township of Readington reviewed this application at its regular meeting held September 20, 2010; and

WHEREAS, it has been determined and reported by our Township Engineer that this application is in order and may be filed.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington does hereby authorize the following action:

1. The Township authorizes the Administrator/Municipal Clerk, Mayor or Deputy Mayor to sign for the Governing Body at appropriate locations on the LURP-2 form, Natural Heritage Data Request form and Bog Turtle certification for the replacement of the Stickney Museum Footbridge.
2. The Municipal Clerk is directed to forward a certified copy of the resolution and supporting documentation to the Township Engineer for submission to the Department of Environmental Protection.
- * 5. **Special Events Permit** – Gotham Arts, Inc. to direct a low budget ten (10) minute film at abandoned diner, October 4th through 5th
- * 6. **Special Events Permit** – Paul & Eileen Sottovia wedding (2 Sycamore Lane) September 25, 2010
- * 7. **Toth, Joseph (Block 42.01, Lot 40)** – release of funds for soil witness (\$200)
- * 8. **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>
CURRENT FUND	0-01	\$ 596,250.51
SEWER APPROPRIATIONS	0-02	\$ 4,101.37
TRUST FUNDS	X-03	\$ 25,191.83
MISC REFUND, COUNTY TAX, LIENS	X-05	\$1,507,137.36
PAYROLL DEDUCTIONS	X-06	\$ 328,329.75
DUE TO STATE OF NJ	X-09	\$ 4,925.00
2010 ORDINANCES	X-10	<u>\$ 13,381.00</u>
TOTAL OF ALL FUNDS		\$2,479,316.82

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

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

CORRESPONDENCE/OTHER INFORMATION

1. Memorandum dated September 8, 2010 from Judith A. Sullivan, Municipal Clerk, Township of Bedminster regarding:

- ***An Ordinance Amending Section 13-1005 entitled “Penalties” of Article 13-1000 Entitled “Administration, Waivers, Enforcement, Violations and Penalties” of Chapter XIII Entitled “Land Management” of the Revised General Ordinances of the Township of Bedminster, to Update the General Penalty Provisions therein”***
- ***An Ordinance Amending The Revised General Ordinances of the Township of Bedminster, 1984 Amending and Creating Various Fees for Township Services***

No action taken.

2. Memorandum dated September 9, 2010 from Donna Burham, Township Clerk, Township of Clinton regarding ***Resolution Requesting the Hunterdon County Freeholders to Engage in an Analysis of all Police, Fire, Rescue and Educational Services.*** No action taken.
3. Memorandum dated September 14, 2010 from Sharon L. Brienza, Municipal Clerk, Township of Branchburg regarding ***An Ordinance Amending the Land Development Ordinance of the Township of Branchburg by Amending Subsection 6-5.9 Entitled “Improvement Guarantees Required; Surety; Release” to Require that Maintenance and Performance Guarantees be from banks within Certain Counties.*** No action taken.

NEW BUSINESS

1. ***Request for Sewer Allocation for Property Located at 388 Route 22 West (Block 17, Lot 8)*** – letter dated August 10, 2010 from Joseph J. Sergeant, Esq. of Berger & Bornstein

Mr. Lawrence Berger, of Berger & Bornstein, stated that he was there on behalf of the property owner. Mr. Berger stated that he appeared before the Sewer Advisory Committee on August 4, 2010 requesting 11,260 gallons of sewer capacity for a commercial building and was told there was no available sewer capacity. Mr. Berger stated that currently the facility has a septic system and the previous owner did not see the need to purchase additional sewer capacity at the time it was available. Mr. Berger asked that the Committee reconsider recalling capacity from those that have been allocated sewer capacity but are not currently using it. Mrs. Muir stated that there are legal binding contracts in place and advised Mr. Berger that he had a right to ask owners that have these legal contracts with the Township, if they would like to give up some capacity. Attorney Dragan stated that the agreements would probably be protected under the Permit Extension Act extending approvals through 2012.

2. ***Resolution of Township of Readington, in the County of Hunterdon, New Jersey Making Application to the Local Finance Board Pursuant to N.J.S.A. 40A:2-26(e)***

The following resolution was offered for consideration:

#R-2010-118

RESOLUTION OF TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY MAKING APPLICATION TO THE LOCAL FINANCE BOARD PURSUANT TO N.J.S.A. 40A:2-26(e)

WHEREAS, the Township of Readington, in the County of Hunterdon, New Jersey (the "Township") desires to make application to the Local Finance Board pursuant to N.J.S.A. 40A:2-26(e) in connection with the issuance of \$11,000,000 General Improvement Bonds to permanently finance various general capital improvements;

Resolution #R-2010-118 cont'd:

WHEREAS, the Township believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the local unit or units;
- (c) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant;
- (d) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the local unit or units and will not create an undue financial burden to be placed upon the local unit or units;

NOW THEREFORE, BE IT RESOLVED BY TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY as follows:

Section 1. The application to the Local Finance Board is hereby approved, and the Township's Bond Counsel and auditor, along with other representatives of the Township, are hereby authorized to prepare such application and to represent the Township in matters pertaining thereto.

Section 2. The Clerk of the Township is hereby directed to prepare and file a copy of the bond ordinance and this resolution with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

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

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

* 3. **Resolution to Correct Authorizing Statute Pertaining to Sales of Real Property**

This matter was addressed under the Consent Agenda.

* 4. **Resolution Authorizing the Mayor, Deputy Mayor, Township Administrator/ Clerk and Township Attorney to Prepare and Sign Necessary Closing Documentation relative to the Closing of this Property (Block 93, lot 1.01)**

This matter was addressed under the Consent Agenda.

* 5. **Division of Land Use Regulation Application Form – Stickney Museum (Footbridge Super Structure)**

This matter was addressed under the Consent Agenda.

* 6. **Special Events Permit – Gotham Arts, Inc. to direct a low budget ten (10) minute film at abandoned diner, October 4th through 5th**

This matter was addressed under the Consent Agenda.

- * 7. **Special Events Permit** – Paul & Eileen Sottovia wedding (2 Sycamore Lane)
September 25, 2010

This matter was addressed under the Consent Agenda.

- * 8. **Toth, Joseph (Block 42.01, Lot 40)** – release of funds for soil witness (\$200)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported that she received a positive comment from John Zripko, of 3 Oakland Drive, stating that he was pleased with the paving job on his street and the outstanding job done by the Road Superintendent, Scott Hulcher.

Administrator Mekovetz stated she had a request from the Museum Committee to develop their own website and asked the Committee for their recommendation on this policy.

A **MOTION** was made by Mrs. Allen to have the Museum Committee incorporate their webpage within the Township website, seconded by Mrs. Allen with a vote of ayes all and nays none recorded.

Administrator Mekovetz stated that there is a resolution for a closing tomorrow on the property that was auctioned off regarding the cancellation of taxes during a specific period.

The following resolution was offered for consideration:

#R-2010-119

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

WHEREAS, Readington Township purchased property on April 15, 2010 known as 14 Case Avenue (Block 93, Lot 1), thus making the property exempt from property taxes, and

WHEREAS, Readington Township desires to sell a .705 ac. portion of the property, known as Block 93, new Lot 1.01 at a closing to be held on September 21, 2010.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, that property taxes due from April 15, 2010- September 21, 2010, in the amount of \$2,618.42, are hereby cancelled.

BE IT FURTHER RESOLVED, by the Township Committee of the Township of Readington, that the new owner will be responsible for the property taxes for Block 93, Lot 1.01 from September 22, 2010 thereon.

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

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

ATTORNEY'S REPORT

Attorney Dragan stated that the Township has three (3) closing in the next few days.

COMMITTEE REPORTS

Gerard Shamey

Mayor Shamey reported he had met with Joseph Starkey, an outside consultant to Merck and Shering Plough, who is reaching out to municipalities to form the Mayor's Committee on New Jersey Life Sciences, in support of the biopharmaceutical companies and to promote economical development.

A ***MOTION*** was made by Mrs. Allen to appoint Mayor Shamey to the Mayor's Committee on New Jersey Life Sciences, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Julia Allen

Mrs. Allen reported that the Open Space Walk took place on Sunday. Mrs. Allen also reported there is a Park Recreation and Leisure Committee meeting tomorrow morning to discuss the proposed perimeter trail around Summer Road Park and the tree planting.

Thomas Auriemma

Mr. Auriemma stated that he had nothing to report.

Frank Gatti

Mr. Gatti reported the Historic Preservation Commission is hosting a walking tour of the Whitehouse Village/Mechanicsville Local Historic District this Saturday. Mr. Gatti stated that in addition, the Historic Preservation Commission has scheduled a community meeting on September 30th to educate the residents in that area in support of the nomination of the historic district.

Beatrice Muir

Mrs. Muir stated that she had nothing to report

COMMENTS FROM THE PUBLIC

There were none.

COMMENTS FROM THE GOVERNING BODY

There were none.

As there was no further business, A ***MOTION*** was made by Mr. Auriemma at 8:38 p.m. to adjourn the meeting, seconded by Mrs. Muir with vote of all ayes, nays none recorded.

Respectfully Submitted:

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