

**READINGTON TOWNSHIP COMMITTEE
MEETING – September 7, 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, 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>
Code Enforcement.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will be confidential
Recreation Committee.....	Personnel.....	“ “ “
Museums.....	Personnel.....	“ “ “
Historic Preservation Commission...	Personnel.....	“ “ “
Emergency Services.....	Contract Negotiations.....	“ “ “
Professional Services.....	Contract Negotiations.....	“ “ “
• Valerie J. Kimson, Esq. (Mason Griffin and Pierson P.C.)		
Deer Management Program.....	Contract Negotiations.....	“ “ “
Hunting Property.....	Contract Negotiations.....	“ “ “
Block 25, Lots 19 & 20		
Award of Maint. & Repair Mat	Contract Negotiations.....	“ “ “
• Jet-Vac Sanitary Sewer Cleaning		

Executive Session Minutes..... Attorney-Client Privilege..... (August 2, 2010)	“	“	“
Hunterdon Medical Center..... 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 Mrs. Muir to adopt this resolution, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:50 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/Enforcement

A **MOTION** was made by Mrs. Allen to hire Peter Coughlin as Acting Fire Sub-Code Official for a sixty (60) day probationary period at his present salary rate for three (3) days a week, four (4) hours per day, 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/Recreation Committee

A **MOTION** was made by Mrs. Muir to appoint Melissa Adams as 1st alternate and John Hunt as a voting member of the Recreation Committee as a result of Rose Dix being appointed 2nd alternate at a prior meeting, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Personnel/Museums

A **MOTION** was made by Mr. Auriemma to hire Barbara Alfano as a Museum Assistant at the rate of \$15 per hour not to exceed twenty (20) hours per week effective September 20, 2010, 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

Personnel/Historic Preservation Commission

A **MOTION** was made by Mr. Gatti to accept the resignation of Tricia Doyle Sarrow as a member of the Historic Preservation Commission and to send her a letter of thanks for her service to the Township, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Contract Negotiations/Emergency Services

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations/Professional Services/Valerie J. Kimson, Esq. (Mason Griffin and Pierson P.C.)

The following resolution was offered for consideration:

#R-2010-108

RESOLUTION AUTHORIZING AMENDED CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Township has retained the services of Special Counsel Valerie J. Kimson Esq. for professional services to render legal advice and services to the Township of Readington, and as otherwise may be directed by the Township Committee, in connection with two matters, each entitled: In re Grant of Substantive Certification to Readington Township, Hunterdon County, by the New Jersey Council on Affordable Housing, Docket number A 1046-09T2 and Docket number A 1524-09T2 by Agreement dated January 2010; and

WHEREAS, Valerie J. Kimson Esq. has joined the Mason Griffin and Pierson P.C. law firm effective July 19, 2010 and the Township and Attorney Kimson desire to amend the January 2010 Professional Services Agreement to reflect the new firm affiliation; and

WHEREAS, funds for said contacts have been appropriated in the 2010 Budget, and have been certified by the Chief Financial Officer; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for “professional services” without competitive bids on the contract itself must be available for public inspection; and

WHEREAS, the contract is being awarded as “non fair and open” pursuant to N.J.S.A. 19:44A-20.5.

NOW, THEREFORE, BE IT RESOLVED on this 7th day of September 2010 by the Township Committee of the Township of Readington, Hunterdon County, New Jersey, as follows:

1. The Mayor and Township Clerk are hereby authorized and directed to execute the amended professional services agreement with Valerie J. Kimson Esq., Mason Griffin & Pierson, P.C., 101 Poor Farm Road, Princeton, N.J. 08540, effective nunc pro tunc, July 19, 2010.
2. The contract is awarded without competitive bidding as professional services in accordance with N.J.S.A. 40A:11-2 and 40A:11-5(1) (a) of the Local Public Contracts Law.
3. The Professional shall supply the Board with Federal Affirmative Action Plan Approval or a State Certificate of Employee information Report within the time period required by N.J.A.C. 17:17. The contract shall contain the Mandatory Affirmative Action Language for Professional Service Contracts as required by N.J.A.C. 17:27.
4. The Professionals comply with the requirements of N.J.S.A. 19:44-A20.5 and shall provide a written certification that the Professional has not made a contribution that would bar the award of the contract pursuant to N.J.S.A. 19:44A-20.8.
5. A notice of this action shall be printed once in the official newspaper of the Township of Readington.
6. A copy of this Resolution and amended professional services agreement shall be filed with the Readington Township Municipal Clerk, and be available there for public inspection.

A **MOTION** was made by Mrs. Muir to adopt this resolution, 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/Deer Management Program

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations/Hunting Property/Block 25, Lots 19 & 20

A **MOTION** was made by Mr. Gatti to decline to accept the offer of the Pinebank Hunting Association to hunt this property, seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

A **MOTION** was made by Mr. Gatti to rebid this property, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Contract Negotiations/Award of Maintenance & Repair Material Bids/Jet-Vac Sanitary Sewer Cleaning

The following resolution was offered for consideration:

#R-2010-109

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, on August 4, 2010, the Township of Readington received four (4) bids for jet-vac sanitary sewer cleaning, which is a maintenance item;

WHEREAS, the bid advertisement, bid specifications and instructions prepared by the Township stated that responding bidders were required to comply with the NJ Prevailing Wage Law P.L. 1963, Chapter 150 and to price their bids accordingly. However, it was subsequently determined that the aforesaid law was not applicable to the particular work bid out by the Township; and

WHEREAS, one of the bidders (Russell Reid) specifically stated that its bid amount assumed that the Prevailing Wage Law was inapplicable, but is unknown whether the other bidders calculated their bids according to prevailing wage rates or not and, therefore, may have been unfairly prejudiced; and

WHEREAS, from the bids received, it appears that the estimated cost for jet-vac sanitary sewer cleaning is less than the minimum bid threshold set forth in N.J.S.A. 40A:11-1, et seq; and

WHEREAS, in addition to the reasons set forth above, under N.J.S.A. 40A:11-13.2, the Township may also reject all bids if it wishes to substantially revise the specifications for the good or services, or, if the bid specifications resulted in one bidder having an unfair advantage over the others.

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

1. The Township Committee hereby rejects all the bids received on August 4, 2010 for the jet-vac sanitary sewer cleaning project in accordance with N.J.S.A. 40A:11-13.2 and other applicable law.

Resolution #R-2010-109 cont'd:

2. The Township Administrator/Clerk is authorized to notify all those who bid on the work of this decision.
3. The Township Administrator / Clerk and / or Public Works Director are authorized to rebid same, if applicable, or to seek quotes for the project, if the cost for the work is estimated to be less than the bid threshold. If the project is to be re-bid, the specifications shall be revised to, among other things, delete the requirement for calculating the bid price in accordance with prevailing wage rates. The above maintenance project shall be re-advertised so that all notification provisions of the Local Public Contracts Law are complied with.

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

Attorney –Client Privilege/Executive Session Minutes (August 2, 2010)

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes of August 2, 2010 for content only, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Litigation/Hunterdon Medical Center

Mayor Shamey stated that this matter remains in Executive Session.

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 August 2, 2010
- * 2. **Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Main Street-Streetscape-Section 1 Project**

The following resolution was offered for consideration:

#R-2010-110

TOWNSHIP OF READINGTON

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MAIN STREET – STREETSCAPE – SECTION 1 PROJECT

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

Resolution #R-2010-110 cont'd:

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as SST-2011-Readington Township-00059 to the New Jersey Department of Transportation on behalf on Readington Township.

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

- * 3. **Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Potterstown Road Improvements Project**

The following resolution was offered for consideration:

#R-2010-111

TOWNSHIP OF READINGTON

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE POTTERSTOWN ROAD IMPROVEMENTS PROJECT

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

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Readington Township-00715 to the New Jersey Department of Transportation on behalf on Readington Township.

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

- * 4. **Social Affairs Permit** – Knights of Columbus #6930 (October 22, 2010)
- * 5. **Hunterdon County Municipal Alliance** – 2011 Renewal Application
- * 6. **Professional Service Contracts for Board of Adjustment and Planning Board**
- * 7. **Professional Service Contracts for Board of Health**
- * 8. **Krinis, Christine (Block 39, Lot 27)** – release of escrow funds (\$474.56)
- * 9. **Carolan, Pat** – release of police escrow (\$358.50)
- * 10. **Nettleship, Lisa** – release of Board of Health escrow (\$300)
- * 11. **Meyer, Ronald (Block 21, Lot 19.08)** – release of Soil Witness fees (\$400)

- * 12. *Beatrice, Jared (Block 55, Lot 7.06)* – release of Driveway Bond money
- * 13. *Hunterdon County Co-Op Purchase* – 2010-11 Winter Season Snow & Ice Materials
- * 14. *Resolution Honoring Anna Hoffman as the Recipient of the Jean Harris Award*

The following resolution was offered for consideration:

#R-2010-112

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, Anna Hoffman, a valued resident of Readington Township was recently selected as the Jean Harris recipient, a most prestigious award for the entire district at a recent General Assembly; and

WHEREAS, Anna Hoffman is a veteran of World War II and was a member of the Women's Army Auxiliary Corps which later become Women's Army Corps; and

WHEREAS, Anna served from 1942 through 1945 and attained the rank of corporal where she served as a cook, baker, butcher and also Acting Messenger Sergeant; and

WHEREAS, Anna served at Fort Des Moines, Iowa, Fort Brady, Michigan Drew Field Air Base in Florida, Oklahoma and then Fort McPherson in Georgia; and

WHEREAS, Anna was appointed to the first Women's Commission of Veteran Affairs and under her chairmanship coordinated with the Committee to establish a Women Veterans' Memorial at William C. Doyle Cemetery; and

WHEREAS, Anna worked with the Committee to raise money for the first female veteran's memorial and museum in Washington, D.C.; and

WHEREAS, Anna continues to serve as president of the Penn-Jersey Chapter #74 of the WAAC and works on behalf of veterans in the State of New Jersey, visiting all facilities to assess the welfare of those who served; and

WHEREAS, Anna remains active in her community and church, always in terms of the welfare of others.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington hereby commends and congratulates Anna Hoffman on this prestigious award of her dedicated services.

BE IT FURTHER RESOLVED, that on behalf of all the residents of Readington Township, the Township Committee thanks Anna Hoffman for her volunteer service to the Women's Army Corps. and our Community.

- * 15. *Firemen's Membership Application-* Jonathan Mahler (Readington Vol. Fire Co.)
- * 16. *Firemen's Membership Application* – Kyle Lasinski (Readington Vol. Fire Co.)
- * 17. *Blue Light Permits*
 - James Hrubesh
 - William Apsley
 - Chris Schneider

* 18. **Tax Refunds - Block 36, Lot 5**

The following resolution was offered for consideration:

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

WHEREAS, a reduction in assessment has resulted in an overpayment for 2010 taxes,
 and

WHEREAS, THE Tax Collector has recommended the following refund:

<u>BLOCK</u>	<u>LOT</u>	<u>REFUND TO</u>	<u>AMOUNT</u>
36	5	Valley National Bank	\$8,624.98

NOW, THEREFORE, BE IT RESOLVED BY the Township Committee that the Township Treasurer be authorized to refund the amount recommended.

* 19. **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	\$1,866,445.33
SEWER APPROPRIATIONS	0-02	\$ 119,377.04
CURRENT FUND	9-01	\$ 2,619.84
TRUST FUNDS	X-03	\$ 71,475.72
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 31,539.08
PAYROLL DEDUCTIONS	X-06	\$ 447,427.61
REG. & LOCAL SCHOOL TAX	X-07	\$5,764,201.60
DUE TO STATE OF NJ	X-09	\$ 28.25
2010 CAPITAL	X-10	\$ 132,908.44
2008 CAPITAL	X-88	\$ 3,285.00
TOTAL OF ALL FUNDS		\$8,439,307.91

A **MOTION** was made by Mrs. Muir 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

PUBLIC HEARING

As it was after 8:00 p.m., A **MOTION** was made by Mr. Gatti to adjourn the regular meeting to hold a Public Hearing, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

Clerk read by Title:

***AN ORDINANCE AUTHORIZING THE SALE OF AFFORDABLE HOUSING
PROPERTY KNOWN AS 109 DOVE COTE COURT IN THE TOWNSHIP OF
READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY***

Ordinance #24-2010

Mayor Shamey stated that this ordinance authorizes the sale of a COAH unit in Lake Cushetunk Woods for \$99,000.

Mayor Shamey asked if there were any comments from the Governing Body.

There were none.

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

There were none.

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

Clerk read by Title:

***AN ORDINANCE AUTHORIZING THE SALE OF AFFORDABLE HOUSING
PROPERTY KNOWN AS 109 DOVE COTE COURT IN THE TOWNSHIP OF
READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY***

Ordinance #24-2010

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

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

CORRESPONDENCE/OTHER INFORMATION

1. Legal Notification dated July 27, 2010 from Edward A. Kuc, Principal Ecologist, Eastern States Environmental Associates, Inc. regarding ***Letter of Interpretation Solberg Airport (Block 56, Lots 3 & 6), Readington Township.*** (Entire File Available in Clerk's Office for Review) No action taken.
2. Notification from Jennifer Hill, Chief, Northwest Branch, Division of Hydropower Licensing, Federal Energy Regulatory Commission regarding ***New Jersey Water Supply Authority Order Issuing Preliminary Permit and Granting Priority to File License Application.*** No action taken.
3. Letter dated August 5, 2010 from Donna J. Burham, Township Clerk, and Township of Clinton regarding ***Resolution Authorizing Submission of NJDOT Local Aid Application.*** No action taken.
4. Letter dated August 5, 2010 from Sally J. Cheong, Tariff Activity Lead, Rates & Regulatory Affairs, New Jersey regarding ***Notice of Filing and Public Hearing for Jersey Central Power & Light Company's Annual Universal Service Fund (USF) compliance filing to establish the appropriate recovery level for the 2010-2011 USF Program year.*** No action taken.

5. Notice to Public Service Electric and Gas Company Electric and Gas Customers from Frances I. Sundheim, Esq., Vice President and Corporate Rate Counsel regarding ***Matter of 2010-2011 Annual Compliance Filing For a Change in the Statewide Electric and Gas Societal Benefits Charges Rates Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1.*** No action taken.
6. Letter dated August 5, 2010 from Denise B. Doolan, Clerk of the Board, Board of Chosen Freeholders regarding ***Resolution to Rescind on County Bridge R-147.*** No action taken.
7. Letter dated August 5, 2010 from Denise B. Doolan, Clerk of the Board, Board of Chosen Freeholders regarding ***Resolution to Amend Established Speed Limits in Both Directions Along Flemington-Whitehouse Road (County Road 523) in the Townships of Raritan, Readington and Tewksbury.***

Mrs. Allen suggested that the Police be asked to enforce the speed limit near County Road 523 and Pleasant Run Road since it is a very dangerous intersection.

8. Memorandum dated August 5, 2010 from Donna J. Burham, Township Clerk, Township of Clinton regarding ***An Ordinance Supplementing and Amending Chapter 165 Entitled “Land Use Regulations of The Code of the Township of Clinton, 2003, as heretofore Supplemented and Amended is Hereby Supplemented and Amended to Revise the Zoning Map to Change a Portion of the RC Rural Conservation Zone District to the ROM-2 Research Office Manufacturing 2 Zone District.*** No action taken.
9. Letter dated August 11, 2010 from Donna J. Burham, Township Clerk, Township of Clinton regarding ***A Resolution Requesting an Analysis of All Education, Police, Fire and Rescue Services.*** No action taken.
10. Memorandum dated August 18, 2010 from Rose Sollena, Municipal Clerk, Township of Raritan regarding ***Notice of Pending Ordinances:***
 - ***An Ordinance of the Township of Raritan, County of Hunterdon, State of New Jersey, Repealing and Replacing Chapter 8.26 of the Revised General Ordinances of the Township of Raritan Titled “Recycling Program”, and Replacing it with a New Chapter 8.36 Titled “Source Separation and Recycling Program.”***
 - ***An Ordinance of the Township of Raritan, County of Hunterdon, State of New Jersey Amending Section 16.18.090 Titled “Plat Details” to add a New Subsection D.24 Titled “Recycling Plan”, and Amending Section 16.20.020 Titled “Site Plan Submission Requirements” to Add a New Subsection D.25 Titled “Recycling Plan.”***

No action taken.

11. Letter from Donald Carter, Vice President of Operations, Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas regarding ***the Matter of the 2010/2011 Annual Compliance Filing for the Universal Service Fund and Lifeline Program Components within the Societal Benefits Charge Rate Pursuant to N.J.S.A. 48:2-2.1 and N.J.S.A. 48:21.1 Submitted by Pivotal Utility Holdings, Inc. d/b/a/ Elizabethtown Gas.*** No action taken.
12. Notice of Public Hearing from Donald Carter, Vice President of Operations, Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas regarding ***A Petition filed with the New Jersey Board of Public Utilities in BPU Docket No. GR10070510 to Revise its Weather Normalization Clause (“WNC”), its Societal Benefit Charge (“SBC”), and On-System Margin Sharing Credit (“OSMC”).*** No action taken.

13. Notice of Public Hearing from Debora Padgett, Planning Board Clerk, Township of Hillsborough Township Planning Board regarding ***Master Plan Amendment to the Stormwater Management Plan Element***. No action taken.
14. Memorandum dated August 20, 2010 from Denise B. Doolan, Clerk of the Board, Board of Chosen Freeholders, County of Hunterdon regarding ***Involuntary Outpatient Treatment (IOC) Commitment Law***. No action taken.
15. Notice of Filing and Public Hearing dated August 12, 2010 from Michael J. Filippone, Director of Rates & Regulatory Affairs regarding ***the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2011.*** No action taken.
16. Letter dated August 27, 2010 from Michael J. Filippone, Director of Rates & Regulatory Affairs, NJ regarding ***Proposal to Adjust Certain Components of the Societal Benefits Charge, Jersey Central Power & Light Company BPU Docket No. ER10020130***. No action taken.
17. Letter dated August 25, 2010 from John Plonski, Assistant Commissioner, Water Resource Management, Department of Environmental Protection, State of New Jersey regarding ***Notice of Public Hearing for the Proposed FFY2011 Priority System, Intended Use Plan and Project Priority List Document***. No action taken.
18. Legal Notice of Public Hearing from David H. Soloway, Esq., Vogel, Chait, Collins and Schneider, P.C. for Omnipoint Communications, Inc. regarding ***Permission to Construct a Wireless Communication Facility on Property Owned by East Whitehouse Fire Co., which is located at 93 Old Route 28, Readington, N.J.*** No action taken.

OLD BUSINESS

1. ***Sidewalk Ordinance*** – discussion

Mayor Shamey stated that in 2007 Engineer McEldowney had sent this draft ordinance to provide guidance for the Township Committee for determining if, and where, sidewalks should be constructed along with regulations for maintenance. A discussion took place on the time period of required improvements to be done and also who would be responsible for the enforcement of the necessary improvements. Attorney Dragan requested clarification on the section where property owner's sidewalks are in the right of way. Administrator Mekovetz suggested that we survey other municipalities in regard to the enforcement of the ordinance. Attorney Dragan will draft an ordinance.

2. ***Cozy Lane*** – request to improve/pave the surface

Engineer O'Brien stated that he met with Scott Jesseman and Mrs. Allen to review the condition of the road surface and discuss improvement options. Engineer O'Brien stated that there is nowhere to run the stormwater once it is collected since the road is so flat and they would need to go through adjacent properties with some lengthy easements to discharge the water at a proper location. The Committee recommended tar oil and chipping over the dirt surface to see if that would remedy mud/dust problem.

3. ***County Road 637 (Readington Road) Improvement***

Engineer O'Brien stated that the County commissioned a study on the road for a needs assessment report and recommended widening the road to 36' feet, installing additional left turn lanes at several side streets and making wider uniform shoulders to improve the safety conditions for the traveling public.

Mr. Auriemma expressed concern that widening the road would increase speeding on the road. Mrs. Allen stated that it would be important for the affected landowners along Readington Road to be informed and allowed an opportunity for input at the public information meetings and asked that Engineer O'Brien follow up with the County in regard to the time line of this process.

4. ***Tennis Court Lights*** – letter dated August 31, 2010 from Robert Cefaly

Mayor Shamey stated that a letter was received from Robert Cefaly requesting that the Committee reconsider keeping the tennis court lights on longer since residents are still playing later into the evening. Mr. Auriemma suggested keeping the lights on until 10:00 p.m. through October 31st. The Committee agreed with this recommendation.

NEW BUSINESS

1. ***An Ordinance to Provide for the Acceptance of a Site Triangle Easement Dedicated on a Portion of Block 38, Lot 53 in the Township of Readington, County of Hunterdon and State of New Jersey from Jersey Central Power & Light Company***

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF A SITE TRIANGLE EASEMENT DEDICATED ON A PORTION OF BLOCK 38, LOT 53 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY

Ordinance #25-2010

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

SECTION 1. The Township of Readington does hereby accept a sight triangle easement on a portion of Block 38, Lot 53 along Ridge Road, dedicated by Jersey Central Power & Light Company, as shown on a drawing entitled "Sight Triangle Easement Across Lot 53 in Block 38, Readington Township, Hunterdon County, NJ" prepared by John Cilo, Jr., Associates, Inc., dated 3/31/10. The legal metes and bounds description of the easement to be accepted is contained in the deed which is one file in the office of the Readington Township Clerk at the municipal building, 509 Route 523, Whitehouse Station, N.J. Said Deed was also recorded in the Hunterdon County Clerk's Office on June 29, 2010 in Deed Book 2252, Page 264.

SECTION 2. This easement is being acquired pursuant to N.J.S.A. 40A:12-3, 4 and 5, et seq. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 3. This ordinance shall take effect immediately upon final adoption and publication according to law, and upon recording in the Hunterdon County Clerk's Office.

A MOTION was made by Mrs. Allen to introduce this ordinance, 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

The Public Hearing was scheduled for October 4, 2010 at 8:00 p.m.

2. ***An Ordinance to Provide for the Acceptance of Sight Triangle Easements Dedicated on a Portion of Block 89, Lot 1 in the Township of Readington, County of Hunterdon and State of New Jersey as Open Space from OMT Properties, LLC***

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF SITE TRIANGLE EASEMENTS DEDICATED ON A PORTION OF BLOCK 89, LOT 1 IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY AS OPEN SPACE FROM OMT PROPERTIES, LLC

Ordinance #26-2010

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

SECTION 1. The Township of Readington does hereby accept two sight triangle easements on a portion of Block 89, Lot 1 along Broad Street, dedicated by the property owner OMT Properties, LLC, as shown on a drawing entitled “Zoning and Site Layout & Dimensioning Plan; Amended Preliminary Site Plan for Investor Savings Bank, Situated at 708 Route 202 – Tax Block 89, Lot 1, Township of Readington, Hunterdon County, New Jersey”, prepared by Korzen Engineering and last revised January 26, 2010. The legal metes and bounds description of the two sight easements to be accepted are described in Schedules A and B, respectively, of the Deed which is on file in the office of the Readington Township Clerk at the municipal building, 509 Route 523, Whitehouse Station, N.J.

SECTION 2. This easement is being acquired pursuant to N.J.S.A. 40A:12-3, 4 and 5, et seq. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 3. Effective Date.

This ordinance shall take effect immediately upon final adoption and publication according to law and upon recording the Easement and this Ordinance in the Hunterdon County Clerk’s Office.

A ***MOTION*** was made by Mrs. Allen to introduce this ordinance, 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

The Public Hearing was scheduled for October 4, 2010 at 8:00 p.m.

3. ***An Ordinance Establishing a 35 Mile Per Hour Speed Limit on Forty Oaks Road in the Township of Readington, County of Hunterdon, State of New Jersey***

The following ordinance was offered for introduction:

AN ORDINANCE ESTABLISHING A 35 MILE PER HOUR SPEED LIMIT ON FORTY OAKS ROAD IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY

ORDINANCE #27-2010

WHEREAS, Forty Oaks Road is a roadway contained wholly within the Township of Readington; and

WHEREAS, at the request of the Township Committee, the Readington Township Engineer, in conjunction with the Township Police Department, conducted a speed survey and traffic investigation along Forty Oaks Road in order to determine a realistic and reasonable speed limit along said road and has recommended, by letter to the Township dated June 17, 2010, that the conditions on Forty Oaks Road meet the statutory definition of a “suburban residential district” as set forth in N.J. Statute Title 39:4-98b(2) et seq., and accordingly, recommends that a speed limit be established at 35 m.p.h on that road for its entire length and, further, that proper signage be placed in accordance with statute; and

WHEREAS, the Township Committee is in agreement with all recommendations of the Township Engineer and is prepared to incorporate them into this Ordinance; and

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

Section 1. As recommended by the Township Engineer, the speed limit along Forty Oaks Road in the Township shall be designated with a thirty-five (35 m.p.h) miles per hour speed limit which shall be observed for the entire length of the roadway.

Section 2. The speed limit set forth herein shall not be effective and signs designating same shall not be posted nor shall this ordinance be enforced until: 1) a certified copy of this ordinance; 2) the certification from the municipal engineer that the adopted speed limit is in the interest of safety and expedition of traffic, along with the supporting data; and 3) location mapping have all been filed with the Commissioner of the Department of Transportation for the State of New Jersey (hereinafter “Commissioner”).

Section 3. If any portion of this ordinance shall be deemed invalid, such portion shall not affect the validity of the remainder of the ordinance.

Section 4. Upon filing of this Ordinance with the Commissioner, the Township shall give public notice of its provisions by placement of signs pursuant to N.J.S.A. Section 39:4-198, any other applicable sections and the guidelines set forth by the D.O.T.

Section 5. This Ordinance shall be enforced by the Readington Township Police Department pursuant to N.J.S.A. Sections 39:3-1 et seq. and 39:4-1 et seq., once it becomes effective and the proper signage has been put in place.

Section 6. This ordinance shall become effective immediately upon final adoption and publication required by law and upon filing the Commissioner. To that end, the Township Clerk is directed to send same to the Commissioner within thirty days of final adoption, along with the supporting data supplied by the Township Engineer as set forth in Section 2 above.

A MOTION was made by Mrs. Muir to introduce this ordinance, 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

The Public Hearing was scheduled for October 4, 2010 at 8:00 p.m.

4. ***Person to Person/Place to Place Transfer Liquor License*** – Ryland Inn Restaurant Operation, LLC. (Chapter 7 Trustee) to SAR II, Inc.

The following resolution was offered for consideration:

R-2010-113
TOWNSHIP OF READINGTON
RESOLUTION

WHEREAS, an application has been filed for a person-to-person/place to place transfer of Plenary Retail Consumption License #1022-33-006-006, heretofore issued to ***Peggy E. Stalford-Chapter 7 Trustee for the Debtor Estate of Ryland Inn Restaurant Operation, LLC***, whose address is 100 Main Street, Allenhurst, New Jersey; appointed by the U.S. Bankruptcy Court for the District of New Jersey (Court) on October 5, 2009 (Case No. 09-36308-RTL); and

WHEREAS, the Chapter 7 Bankruptcy Trustee subsequently made a motion to the Bankruptcy Court permitting the sale of aforesaid liquor license pursuant to Sec. 363 of the Bankruptcy Code, and such Order was signed on May 5, 2010.

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon and State of New Jersey, does hereby approve, effective September 7, 2010 the person to person/place to place transfer of the aforesaid Plenary Retail Consumption License to ***SAR II, Inc.***, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: ***“This license, subject to all its terms and conditions, is hereby transferred to SAR II, Inc. effective September 7, 2010.”***

A MOTION was made by Mrs. Muir to adopt this resolution, 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

- * 5. ***Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Main Street – Streetscape-Section 1 Project***

This matter was addressed under Consent Agenda.

- * 6. ***Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for Potterstown Road Improvements Project*** – resolution

This matter was addressed under Consent Agenda.

- * 7. ***Social Affairs Permit*** – Knights of Columbus #6930 (October 22, 2010)

This matter was addressed under Consent Agenda.

- * 8. ***Hunterdon County Municipal Alliance*** – 2011 Renewal Application
This matter was addressed under Consent Agenda.
- * 9. ***Professional Service Contracts for Board of Adjustment and Planning Board***
This matter was addressed under Consent Agenda.
- * 10. ***Professional Service Contracts for Board of Health***
This matter was addressed under Consent Agenda.
- * 11. ***Krinis, Christine (Block 39, Lot 27)*** – release of escrow funds (\$474.56)
This matter was addressed under Consent Agenda.
- * 12. ***Carolan, Pat*** – release of police escrow (\$358.50)
This matter was addressed under Consent Agenda.
- * 13. ***Nettleship, Lisa (Block 42, Lot 35)*** – release of Board of Health escrow (\$300)
This matter was addressed under Consent Agenda.
- * 14. ***Meyer, Ronald*** – release of Soil Witness fees (\$400)
This matter was addressed under Consent Agenda.
- * 15. ***Beatrice, Jared (Block 55, Lot 7.06)*** – release of Driveway Bond money
This matter was addressed under Consent Agenda.
- * 16. ***Hunterdon County Co-Op Purchase*** – 2010-11 Winter Season Snow & Ice Materials
This matter was addressed under Consent Agenda.
- * 17. ***Resolution Honoring Anna Hoffman as the Recipient of the Jean Harris Award***
This matter was addressed under Consent Agenda.
- * 18. ***Firemen’s Membership Application***- Jonathan Mahler (Readington Vol. Fire Co.)
This matter was addressed under Consent Agenda.
- * 19. ***Firemen’s Membership Application*** – Kyle Lasinski (Readington Vol. Fire Co.)
This matter was addressed under Consent Agenda.

- * 20. ***Blue Light Permits***
- James Hrubesh
 - William Apsley
 - Chris Schneider

This matter was addressed under Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz stated that she had nothing further to report.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

ENGINEER'S REPORT

Engineer O'Brien stated that he had nothing further to report.

COMMITTEE REPORTS

Gerard Shamey

Mayor Shamey stated he had nothing further to report.

Julia Allen

Mrs. Allen stated that she had nothing further to report.

Thomas Auriemma

Mr. Auriemma stated that he had received a complaint from a resident regarding the difficulty crossing the Bank Street crosswalk. Mr. Gatti suggested that the Township consider installing flashing traffic marker lights in the crosswalks, although he was not sure of the cost of these lights. Engineer O'Brien stated that possibly this could be incorporated into the grant application and he would look into this matter.

Frank Gatti

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

Beatrice Muir

Mrs. Muir stated that she had nothing further to report.

COMMENTS FROM THE PUBLIC

Jerry Cook from the Hunting Committee offered to be a liaison to work out the Deer Management Plan if need be.

Bill Goodwin commented on the sidewalk ordinance and felt it should be the Township's responsibility to maintain the sidewalks.

Joseph Murray, from the firm of Schiller and Pittinger in Scotch Plains, stated he was there on behalf of David and Fred Lackland in regard to the status of the open space bonding matter.

Mr. Goodwin asked the Committee to comment on the correspondence regarding the Letter of Interpretation, Solberg Airport (Block 56, Lot 3 & 6).

COMMENTS FROM THE GOVERNING BODY

There were none.

The Committee returned to Executive Session at 9:10 p.m.

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>
Block 94, Lot 11 (Salamon).....	Contract Negotiations.....	Certain information at the discretion of Township Committee tonight...other information will be confidential
Block 64, Lots 26 & 40 (Lackland)..	Contract Negotiations.....	“ “ “
Block 74, Lot (p/o) 7.....	Contract Negotiations.....	“ “ “
Branchburg Twp.....	Contract Negotiations.....	“ “ “
• County Line Road Project		
Block 48, Lot 23; Block 55, Lot 33,. Block 56, Lots 1, 3, 6 & 8; Block Lot 24 and Block 67, Lot 2 (Solberg Aviation)	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 Mrs. Muir to adopt this resolution, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

The meeting reconvened at 10:01 p.m.

Contract Negotiations/Block 94, Lot 11/Salamon

A **MOTION** was made by Mr. Auriemma to approve the contract as amended, 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.

Contract Negotiations/Block 74, Lot (p/o) 7

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations/Twp. of Branchburg/County Line Road Project

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

Mayor Shamey stated that this matter remains in Executive Session.

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.

As there was no further business, A ***MOTION*** was made by Mr. Auriemma at 10:05 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