

**READINGTON TOWNSHIP COMMITTEE
MEETING – October 4, 2010**

Mayor Shamey *calls the meeting to order at 5:30 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 F. 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>
Personnel Manual.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will be confidential
Fire Prevention Office.....	Personnel.....	“ “ “
Professional Services..... □ Pumping Services, Inc.	Contract Negotiations.....	“ “ “
404 Dove Cote Court..... (Block 21.06, Lot 301.06)	Contract Negotiations.....	“ “ “
Green Acres (Block 93, Lot 1).....	Contract Negotiations.....	“ “ “
2010 County Funding Round..... (Block 94, Lot 11)	Contract Negotiations.....	“ “ “
Maintenance Agreement..... (Block 75, Lot 15.01 & 16.02)	Contract Negotiations.....	“ “ “
Award of Hunting Contract..... (Block 21.06, Lot 301.06)	Contract Negotiations.....	“ “ “

Block 39, Lot 49 & Block 40, Lot 2..... (Peters)	Contract Negotiations.....	“	“	“
Wilmark Building Contactors, Inc..... (Block 25, Lot 50)	Attorney-Client Privilege.....	“	“	“
Executive Session Minutes..... (September 20, 2010)	Attorney-Client Privilege.....	“	“	“
Baldwin v. Readington Twp./GRC....	Litigation.....	“	“	“
Tilcon NY, Inc. v. Morris Co. Co-Op...	Litigation.....	“	“	“
Block 48, Lot 23; Block 55, Lot 33; Block 56, Lots 1, 3, 6 & 8; Block 39, Lot 24 & 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 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/Personnel Manual

Mayor Shamey stated that this matter remains in Executive Session.

Personnel/Fire Prevention Office

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations/Professional Services/Pumping Services, Inc.

The following resolution was offered for consideration:

#R-2010-120

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PREVENTATIVE MAINTENACE PROGRAM SERVICES

WHEREAS, the Township of Readington has a need to acquire Preventative Maintenance Program Services as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44a-20.5*; and

WHEREAS, the term “non-fair and open contract,” for the purposes of the law, refers to a Professional Services Contract awarded to a contractor who has not made a political contribution as described in *N.J.S.A. 19:44A-20.5 et seq.* or in *N.J.S.A. 19:44a-8, et seq.*; and

WHEREAS, the Township Administrator has determined and certified in writing that the value of the services may exceed \$17,500; and

Resolution #R-2010-120 cont'd:

WHEREAS, Pumping Services, Inc. has submitted a proposal indicating they will provide Preventative Maintenance Program for the Pump Stations for rates as detailed in the contract for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Pumping Services, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Pumping Services, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Readington in the previous one (1) year, and that the contract will prohibit Pumping Services, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*); and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes the Mayor to enter into a contract with Pumping Services, Inc. as described herein; and

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that said contract shall expire on October 1, 2011; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract including the rate schedule are on file with the Municipal Clerk and are available there for public inspection; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

A MOTION was made by Mr. Gatti 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/404 Dove Cote Court (Block 21.06, Lot 301.06)

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations/Green Acres (Block 93, Lot 1)

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations/2010 County Funding Round (Block 94, Lot 11)

A MOTION was made by Mr. Auriemma to approve the option 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/Maintenance Agreement (Block 75, Lot 15.01 & 16.02)/Kit Crisafulli

A **MOTION** was made by Mr. Auriemma to approve the maintenance agreement, 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/Award of Hunting Contract (Block 21.06, Lot 301.06)

The following resolution was offered for consideration:

#R-2010-121

***TOWNSHIP OF READINGTON
RESOLUTION***

WHEREAS, the Readington Township Committee (Committee) publically advertised for hunting bids during the 2010-2011 season on Block 25 Lot 19 & 20 (County Road 523) in the Township, which property is a Green Acres assisted, publicly assessed property owned by the Township (hereinafter referred to as “the Property”); and

WHEREAS, on September 30, 2010, the Administrator/Municipal Clerk conducted the bid opening whereupon the total number of bidders for hunting on the Property was three (3); and

WHEREAS, upon review of the bids, the Administrator/Municipal Clerk determined that the highest bid offered, \$1,600., was from Clearwater Sportman’s Club Inc. (hereinafter “Clearwater”) ; and

WHEREAS, upon review, the Township Attorney found that the bid from Clearwater, was found to be complete and it is recommended that it be accepted subject to Clearwater providing the Township with a certificate of incorporation, a certificate of good standing and a written confirmation that the Township contract prevails over the by-laws of Clearwater; and

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

1. The Township Committee hereby accepts the recommendation of the Township Attorney and accepts the bid of the highest bidder, Clearwater in the amount of \$1,600. for hunting game on Block 25, Lot 19 & 20 during the 2010-2011 hunting season.
2. The Administrator/Municipal Clerk is authorized to notify all those who bid on the Property of this decision.

A **MOTION** was made by Mr. Gatti 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/Peters (Block 39, Lot 49 & Block 40, Lot 2)

Mayor Shamey stated that this matter remains in Executive Session.

Attorney-Client Privilege/Wilmark Building Contractors, Inc. (Block 25, Lot 50)

Mayor Shamey stated that this matter remains in Executive Session.

Attorney –Client Privilege/Executive Session Minutes (September 20, 2010)

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes of September 20, 2010 for content only, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Litigation/Baldwin v. Readington Twp./GRC

A **MOTION** was made by Mrs. Muir to approve the proposed settlement, 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

Litigation/Tilcon NY vs. Morris County Co-Op

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.

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.

Administrator Mekovetz requested that item # 6 under New Business (Special Events permit) be removed from the Consent Agenda.

- * 1. **APPROVAL OF MINUTES** of meeting of September 20, 2010
- * 2. **Colalillo, Michael, Block 37.01, Lot 15** – request for release of escrow (\$750)
- * 3. **Zavoda, Patricia, Block 38, Lot 14** – request for release of escrow (\$750)
- * 4. **Firemen’s Membership Application-** Michael A. Brownlow
(East Whitehouse Vol. Fire Co.)
- * 5. **Firemen’s Membership Application** – Casey L. Brownlow
(East Whitehouse Vol. Fire Co.)
- * 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>
CURRENT FUND	0-01	\$ 374,119.62
SEWER APPROPRIATIONS	0-02	\$ 102,274.68
TRUST FUNDS	X-03	\$ 2,244.36
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 26,856.16
PAYROLL DEDUCTIONS	X-06	\$ 146,235.91
REG. & LOCAL SCHOOL TAX	X-07	\$2,514,218.00
2010 ORDINANCES	X-10	\$ 350,977.46
2006 ORDINANCES	X-66	\$ 178,857.42
2008 ORDINANCES	X-88	<u>\$2,630,499.50</u>
TOTAL OF ALL FUNDS		<u>\$6,326,283.11</u>

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 HEARINGS

As it was after 8:00 p.m., A **MOTION** was made by Mr. Auriemma 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 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

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 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

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

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

Clerk read by Title:

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

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

Mrs. Allen stated that she wanted to clarify that the ordinance has to do with the reconfiguring the ingress and egress at Investor Savings Bank in Three Bridges.

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 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

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

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

Clerk read by Title:

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

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 Mr. Gatti with a vote of ayes all, nays none recorded.

Clerk read by Title:

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

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

CORRESPONDENCE/OTHER INFORMATION

1. Memorandum dated September 21, 2010 from Judith A. Sullivan, Municipal Clerk, Township of Bedminster regarding adoption of the following:
 - ***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. Letter dated September 23, 2010 from Kevin Scott Richardson, Open Space Coordinator of the Hunterdon County Open Space Trust Program regarding ***Approval and Adoption of the Revised Procedures Manual for the Municipal and Non-Profit Grant Programs, Cooperative Open Space Acquisition Assistance and Historic Preservation Program, 5th Edition.***

Mrs. Allen requested to have copies of the manual made available to John Klotz and herself.

3. Memorandum dated September 28, 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.

4. Resolution dated September 30, 2010 from HART Board of Directors proclaiming *October 2010 as Pedestrian Safety Month in Hunterdon County*. No action taken.

OLD BUSINESS

1. ***Request to Render a Decision on the Request for Sewer Allocation for Property Located at 388 Route 22 West (Block 17, Lot 8)*** – letter dated September 21, 2010 from Lawrence S. Berger of Berger & Bornstein

Mayor Shamey stated that a letter was received from Lawrence Berger requesting that the Committee render a decision on their request for sewer allocation which had been made at the last meeting. Mayor Shamey suggested that the property owner go through the process of an informal review to see what the potential applicant has in mind for development; acknowledging that there is no sewer capacity available now, but perhaps on the basis of that, they may be in a better position to seek out capacity from other holders of sewer allocation. Attorney Dragan stated that it is no longer necessary to have sewer capacity or septic in place, so they could go through the process of going before the Planning Board for approval with the idea that there may be some possibility in the future for gallonage.

A MOTION was made by Mrs. Allen to request that Administrator Mekovetz write a letter to Mr. Berger to encourage the property owner continue to go before the Planning Board or Board of Adjustment, whichever is applicable, to set up escrow for an informal review process; however, with the understanding that there is no available sewer capacity at this time and the application would be conditioned on getting a suitable solution to wastewater, seconded by Mr. Gatti with a vote of eyes all, nays none recorded.

NEW BUSINESS

1. ***An Ordinance Authorizing the Acquisition of Certain Property Known as a .044+/- AC. Portion of Block 94, Lot 16.03 in the Township of Readington From David and Mary Brown***

Mrs. Allen stated that this is the 15' connection to make the Township eligible for farmland preservation funding on Block 94, Lot 17.

The following ordinance was offered for introduction:

AN ORDINANCE AUTHORIZING THE ACQUISITION OF CERTAIN REAL PROPERTY KNOWN AS A .044 +/- AC. PORTION OF BLOCK 94, LOT 16.03 IN THE TOWNSHIP OF READINGTON FROM DAVID AND MARY BROWN

ORDINANCE #28 -2010

WHEREAS, there exists certain real property known as Block 94, Lot 16.03 on the official tax map of in the Township of Readington (hereinafter the "Property"); and

WHEREAS, the Township of Readington (hereinafter "Township") has determined that there is a need to acquire a .044+/- acre portion of said Property to be merged to Block 94, Lot 17, which is owned by the Township so as to allow Block 94, Lot 17 to be enrolled into the Hunterdon County and NJ State Farmland Preservation Program; and

WHEREAS, in the interest of negotiating a timely and mutually acceptable voluntary transaction between the Township and the owner of the Property, it is and has been the policy of the Township to negotiate with the owner of the Property on the basis of fair market value; and

WHEREAS, the Township is authorized pursuant to N.J.S.A. 40A: 12- 1,4 and 5 et seq. to acquire the Property for public purposes; and

Ordinance #28-2010 cont'd:

WHEREAS, the purchase is subject to and in accordance with the conditions set forth in the Contract of Sale between the parties dated May 3, 2010, for a negotiated price of \$7,500;

WHEREAS, a satisfactory deed from the owner of the Property shall be submitted to the Township upon closing of title on the Property.

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

Section One. For the reasons set forth above, the Township shall purchase a .044+/- ac. portion of Block 94, Lot 16.03 to be annexed to Block 94, Lot 17 already owned by the Township, for the price of \$7,500 and record Seller's deed with the Office of the Hunterdon County Clerk following the closing of title on the Property.

Section Two. The Mayor and Administrator and Clerk of the Township are hereby authorized and directed to take all reasonable, necessary and lawful steps including execution of any and all necessary documents, toward the negotiated acquisition of the Property, in the manner and subject to the terms and conditions specified above, and are further authorized and directed to make the aforesaid payment to the owner of the Property.

Section Three. All ordinances or parts of ordinances deemed to be inconsistent with this Ordinance are hereby repealed.

Section Four. This Ordinance shall become effective immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

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

The Public Hearing was scheduled for October 18, 2010 at 8:00 p.m.

2. ***An Ordinance Appropriating \$8,000 from the Capital Improvement Fund for the Acquisition of Block 94, Portion of Lot 16.03 in and by the Township of Readington, in the County of Hunterdon, New Jersey***

The following ordinance was offered for introduction:

ORDINANCE APPROPRIATING \$8,000 FROM THE CAPITAL IMPROVEMENT FUND FOR THE ACQUISITION OF BLOCK 94, PORTION OF LOT 16.03 IN AND BY THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY

ORDINANCE # 29 -2010

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

Section 1. \$8,000 is hereby appropriated from the Capital Improvement Fund for the acquisition of Block 94, Portion of Lot 16.03 on the tax maps of the Township, including all related costs and expenditures incident thereto, in and by the Township of Readington, in the County of Hunterdon, New Jersey (the "Township").

Ordinance # 29-2010 cont'd:

Section 2. The Township hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

A **MOTION** was made by Mr. Auriemma 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 18, 2010 at 8:00 p.m.

3. ***An Ordinance to Provide for the Acceptance of an Easement Dedicated on a Portion of Block 93, Lot 61 for Drainage Purposes on Forest Hill Drive in the Township of Readington, County of Hunterdon and State of New Jersey from the Readington Township Board of Education***

The following ordinance was offered for introduction:

AN ORDINANCE TO PROVIDE FOR THE ACCEPTANCE OF AN EASEMENT DEDICATED ON A PORTION OF BLOCK 93, LOT 61 FOR DRAINAGE PURPOSES ON FOREST HILL DRIVE IN THE TOWNSHIP OF READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY FROM THE READINGTON TOWNSHIP BOARD OF EDUCATION

ORDINANCE # 30-2010

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 shall enter into an easement agreement for approximately 4,004 sq. feet on a portion of Block 93, Lot 61 which easement has been dedicated to the Township by the Readington Township Board of Education, as contained in the document entitled “Deed of Easement” which is on file in the office of the Readington Township Clerk, at the Readington Township Municipal Building, 509 Route 523, Whitehouse Station, N.J. and may be reviewed during regular business hours. Acceptance of this Deed of Easement will allow the Township to install, improve and/or maintain needed stormwater management facilities on Forest Hill Drive and on Block 93, Lot 61 as part of a public road improvement project the Township is undertaking on Forest Hill Drive. The Mayor, Deputy Mayor, Township Administrator/Clerk, as applicable, are authorized to sign the easement document on behalf of the Township Committee.

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 an 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 immediately upon final adoption and publication according to law, and upon recording of the Deed of Easement.

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 18, 2010 at 8:00 p.m.

4. **Rolling Meadows, Block 55, Lot 7** – request for release of performance bond

Engineer O’Brien stated that the inspection was complete and recommended the release of the performance bond.

The following resolution was offered for consideration:

#R-2010-122

**TOWNSHIP OF READINGTON
 RESOLUTION**

WHEREAS, Rolling Meadows of Readington, LLC. did on November 1, 2007 file a written request with the Township of Readington for a reduction in Cash Performance Guarantee Check #1311 in the amount of \$35,959.20 and Performance Bond #882017604 in the amount of \$323,632.80 for work completed on Block 55, Lot 7.01;

WHEREAS, on July 8, 2010 has filed a written request to release the remaining Performance Guarantee Check #1311 in the amount of \$10,787.76 and Performance Bond #882017604 in the amount of \$97,089.84; and

WHEREAS, the Township Engineer has confirmed that a certain amount of work has been done by Rolling Meadows of Readington, LLC. 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; and

WHEREAS, the Township Engineer has released the Cash Performance Guarantee Check #1311 and Performance Bond #882017604, as indicated in his letters of September 29, 2010 based upon the Municipal Land Use Law.

<i>BOND OR CHECK</i>	<i>ORIG. BONDED AMOUNT @ 120%</i>	<i>JAN 2008 RECOMMEND REDUCT FOR WORK COMPLETED</i>	<i>CURRENT REMAIN. PERFORM. GUARANTEE</i>	<i>RECOMMEND REDUCTION FOR WORK COMPLETE</i>	<i>REMAIN PERFORM GUARAN. @ 120%</i>
American Southern Ins. Co #882017604	\$323,632.80	\$226,542.96	\$97,089.84	100%	\$0
Check # 311	\$35,959.20	\$25,171.44	\$10,787.76	100%	\$0
TOTAL	\$359,592.00	\$25,714.40	\$107,877.60	100%	\$0

Resolution #2010-122 cont'd:

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 #311 and Performance Bond #882017604, as recommended by the Township Engineer; and

BE IT FURTHER RESOLVED, that an affidavit from the developer stating that there are no liens or other legal encumbrances on any of the improvements or utilities proposed to be deeded to the Township or other governmental agency or authority must be provided and that a two (2) year maintenance guaranty shall be posted in the amount of \$44,949. as calculated by the Township Engineer.

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. Gatti 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. **Rockaway Reformed Church** – letter dated September 23, 2010 requesting to hang a banner for Holiday Market fundraiser around November 20th through December 4th

A **MOTION** was made by Mrs. Allen to approve this request, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

6. **Special Events Permit** – Harvest Fest at Schaefer Farm October 16th through October 31st (Saturdays and Sundays Only)

Administrator Mekovetz stated that this application was somewhat more involved than a normal consent approval for a special events permit and was an escalation from previous years events, especially since they have added amusement rides to their application. Mrs. Allen recommended approving it as it has been in previous years but not an escalation.

A **MOTION** was made by Mr. Gatti to approve the permit without the children's amusement rides, seconded by Mr. Auriemma with a vote of ayes, all nays none recorded.

- * 7. **Colalillo, Michael, Block 37.01, Lot 15** – request for release of escrow (\$750)

This matter was addressed under the Consent Agenda.

- * 8. **Zavoda, Patricia, Block 38, Lot 14** – request for release of escrow (\$750)

This matter was addressed under the Consent Agenda.

- * 9. **Firemen's Membership Application**- Michael A. Brownlow (East Whitehouse Vol. Fire Co.)

This matter was addressed under the Consent Agenda.

- * 10. ***Firemen's Membership Application*** – Casey L. Brownlow
(East Whitehouse Vol. Fire Co.)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported that there is a Green Team meeting this week.

ATTORNEY'S REPORT

Attorney Dragan stated that she is trying to close the two driveway strips on the Amawalk property in the next two weeks and in addition to the affordable housing unit.

ENGINEER'S REPORT

Engineer O'Brien reported that he had the sidewalk maintenance ordinance in the Town of Clinton. Engineer O'Brien and Attorney Dragan will draft a sidewalk ordinance for the Township.

COMMITTEE REPORTS

Gerard Shamey

Mayor Shamey stated that he had nothing further to report.

Julia Allen

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

Thomas Auriemma

Mr. Auriemma reported that the bocce ball court in Pickell Park is complete.

A ***MOTION*** was made by Mrs. Allen to request Administrator Mekovetz draft a letter of thanks to Jeremy Newman for the construction of the bocce ball court in Pickell Park, seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

Frank Gatti

Mr. Gatti reported that on Saturday, October 16th the semi-annual Barn Dance will take place at the Bouman Stickney Museum.

Mr. Gatti reported that the Walking Tour through the local Historic District on September 25th was well attended and the Community Meeting, last Thursday, had received positive feedback.

Beatrice Muir

Mrs. Muir had nothing further 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 8:31 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