

**READINGTON TOWNSHIP COMMITTEE
MEETING – December 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 Shamey, Deputy Mayor F. 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>
Construction Code Office.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will be confidential
Tax Collector's Office.....	Personnel.....	“ “ “
Building and Grounds.....	Contract Negotiations.....	“ “ “
Professional Services (2011).....	Contract Negotiations.....	“ “ “
<input type="checkbox"/> Valerie J. Kimson, Esq. / Mason Griffin & Pierson P.C.		
<input type="checkbox"/> JWS Computers / Computer Maintenance		
Professional Services (2011).....	Contract Negotiations.....	“ “ “
<input type="checkbox"/> Animal Control		
Jeffrey and Lauren Bergold..... (Block 52.01, Lot 22)	Contract Negotiations.....	“ “ “
David and Mary Brown.....	Contract Negotiations.....	“ “ “
Fallone at Spring Meadow..... (Block 36, Lot 49)	Contract Negotiations.....	“ “ “

Friends of the Dog Park.....	Contract Negotiations.....	“	“	“
Executive Session Minutes..... (December 6, 2010)	Attorney-Client Privilege.....	“	“	“
388 Route 22 Readington Realty..... Holdings, LLC v. Twp. of Readington	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.....	“	“	“
Municipal Court.....	Personnel.....	“	“	“

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 8:25 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 / Construction Code Office

A **MOTION** was made by Mr. Auriemma to accept Basil Andrews’ notice of retirement and send him a letter of thanks for his service, seconded by Mr. Gatti with a vote of ayes all, nays none recorded.

Personnel / Tax Collector’s Office

A **MOTION** was made by Mrs. Allen to pay a \$200 stipend to Omayra Rosa for the completion of her Tax Collector’s certification, 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

Contract Negotiations / Building and Grounds

Mayor Shamey stated that this matter remains in Executive Session.

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

The following resolution was offered for consideration:

#R-2010-139

**RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR
SPECIAL LITIGATION COUNSEL SERVICES**

WHEREAS, the Township of Readington has a need to acquire Special Litigation Counsel 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 Anon-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

WHEREAS, Valerie J. Kimson, Esq, Mason, Griffin & Pierson P.C. has submitted proposal indicating she will act as Special Litigation Counsel at the following rates: Attorney – \$155 per hour; Paralegals - \$75 per hour, for the following matters:

Re: Certification of Readington Township
Appellate Docket Number A-001046-T2
Readington Township v. Wilmark Building Contractors

for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, Valerie J. Kimson, Esq., Mason, Griffin & Pierson P.C. has completed and submitted a Business Entity Disclosure Certification which certifies that Valerie J. Kimson, Esq. 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 Valerie J. Kimson, Esq. 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 will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2011 budget.

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 Valerie J. Kimson, Esq., Mason, Griffin & Pierson P.C. 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 December 31, 2011; and

BE IT FURTHER RESOLVED, that copies of this Professional Service 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 / Professional Services / JWS Computers (Computer Maintenance)

The following resolution was offered for consideration:

#R-2010-140

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR PROFESSIONAL COMPUTER AND PRINTER MAINTENANCE SERVICES

WHEREAS, the Township of Readington has a need to acquire Professional Computer and Printer Maintenance Services; and

WHEREAS, JWS Computers has submitted a proposal indicating they will provide Professional Computer and Printer Maintenance Services at a rate of \$900 per month (\$10,800 annually) for a total amount not to exceed the amount appropriated for this service in the approved/adopted budget.

WHEREAS, the Chief Financial Officer's Certification of the availability of funds is on file - *N.J.A.C. 5:30-5.4*) and will be amended to reflect the final approved funds for this purpose upon adoption/approval of the 2011 budget.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, authorizes entering into a contract with JWS Computers as described herein; and

BE IT FURTHER RESOLVED, that said contract shall expire on December 31, 2011; and

BE IT FURTHER RESOLVED, that copies of this Professional Service Contract 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 / Professional Services / Animal Control

The following resolution was offered for consideration:

#R-2010-141

RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR ANIMAL CONTROL SERVICES

WHEREAS, the Township of Readington has a need to acquire Animal Control 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 \$17,500.00; and

Resolution #R-2010-141 cont'd:

WHEREAS, Animal Control Solutions has submitted a proposal indicating they will provide Animal Control Services at an annual rate of \$24,000.00, and a service charge of \$100.00 for each call-out between the hours of 10:00 p.m. and 6:00 a.m.; and

WHEREAS, Animal Control Solutions has completed and submitted a Business Entity Disclosure Certification which certifies that Animal Control Solutions 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 Animal Control Solutions 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).

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 Animal Control Solutions 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 December 31, 2011; and

BE IT FURTHER RESOLVED, that copies of this Professional Service 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 / Jeffrey and Lauren Bergold (Block 52.01, Lot 22)

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations / David and Mary Brown

A **MOTION** was made by Mr. Auriemma to amend the contract, 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/ Fallone at Spring Meadow (Block 36, Lot 49)

Mayor Shamey stated that this matter remains in Executive Session.

Contract Negotiations / Friends of the Dog Park

A **MOTION** was made by Mrs. Muir to amend the lease agreement with some minor revisions, 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 –Client Privilege/Executive Session Minutes (December 6, 2010)

A **MOTION** was made by Mrs. Muir to approve the Executive Session Minutes of December 6, 2010 for content only, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Litigation / 388 Readington Realty Holdings, LLC v. Twp. of Readington

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.

Personnel / Municipal Court

Mayor Shamey and Mr. Gatti recused themselves from this matter.
Mrs. Allen 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 December 6, 2010
- * 2. ***Authorization to prepare and sign closing documentation needed to effectuate the sale of Block 94, Lot 11 to Buyer Eugene Salamon***

The following resolution was offered for consideration:

#R-2010-142

***READINGTON TOWNSHIP
RESOLUTION***

WHEREAS, the Township of Readington (“Township”), pursuant to N.J.S.A. 40A:12-13, et seq. held an auction on March 1, 2010 to sell the property it owns known as Block 94, Lot 11 in the Township of Readington, County of Hunterdon and State of New Jersey, subject to an agricultural development rights easement and a restrictive covenant to be held by the Township of Readington for eventual conveyance to the County of Hunterdon in accordance with the farmland and open space preservation goals of the Township and the County and State Farmland Preservation Program, as well as additional use restrictions; and

Resolution #R-2010-142 cont'd:

WHEREAS, as a result of the auction, the highest bid received to purchase the property was offered by Eugene Salamon (hereinafter “Buyer”), in the amount of \$300,000.00; this bid was accepted and approved by the Readington Township Committee at the meeting held on March 1, 2010; and

WHEREAS, the Township thereafter entered into a contract with Buyer in accordance with the offer made, and further, subject to easements set forth in specifications required by the Township in the auction package; 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. The Township Committee confirms that the property survey was amended to reflect and exception area of 1.5+/- acres as originally offered in the auction package and reaffirms its agreement with same.
2. 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 and all necessary closing documentation, including the deed, affidavit of title, closing statements, easements, post-closing agreements and any other documentation needed to effectuate the sale of Block 94, Lot 11 to the Buyer Eugene Salamon, in accordance with the auction terms, the contract, prior resolutions approving the same, and this resolution.
3. This Resolution shall take effect immediately.

* 3. ***Special Items of Revenue and Appropriation in the 2010 Budget***

The following resolution was offered for consideration:

#R-2010143

**TOWNSHIP OF READINGTON
SPECIAL ITEMS OF REVENUE AND APPROPRIATION
IN THE 2010 BUDGET
PURSUANT TO N.J.S.A. 40A:4-87**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED that the Township of Readington hereby requests the Director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2010 in the sum of **\$ 40,059.55** which items are now available as a revenue from the following sources pursuant to the provision of statute:

NJ BPU – Office of Clean Energy – Direct Install Program \$ 40,059.55

BE IT FURTHER RESOLVED that a like sum of **\$ 40,059.55** is hereby appropriated under the caption of the following:

NJ BPU – Office of Clean Energy – Direct Install Program \$ 40,059.55

* 4. **Resolution to Cancel Old Outstanding Checks**

The following resolution was offered for consideration:

#R-2010-144

**TOWNSHIP OF READINGTON
 RESOLUTION OUTSTANDING CHECKS TO BE VOIDED**

ACCOUNT	DATE	CHECK #	AMOUNT
Current Account	5/4/2009	1321	425.00
	10/19/2009	2398	12.78
	10/19/2009	2425	210.80
	11/4/2009	2541	110.00
	Total for Current Account		
Recreation Trust	8/13/2009	2782	39.00
	8/13/2009	2783	56.00
	8/13/2009	2784	49.00
	8/13/2009	2789	33.00
	8/13/2009	2793	35.00
	8/13/2009	2806	20.00
	8/13/2009	2816	20.00
	9/17/2009	2886	60.00
	10/8/2009	2918	100.00
	10/8/2009	3010	320.00
Total Recreation Trust			732.00

Total amount of checks to be voided **\$1,490.58**

* 5. **Resolution to Cancel General Capital Ordinance Balances**

The following resolution was offered for consideration:

#R-2010-145

**TOWNSHIP OF READINGTON
 RESOLUTION TO CANCEL GENERAL CAPITAL ORDINANCES**

WHEREAS, there are ordinance balances in the General Capital Fund which are no longer required and should be canceled,

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, that the Chief Financial Officer is hereby authorized to cancel the following balances and return them to the appropriate account:

Ord #	Title	Total	Capital Improvement Fund	Deferred Charges -Unfunded
20-2008	Acquisition of Easement-James	\$ 6,726.56		\$ 6,726.56
36-2008	Reconstruct Reno Barn	726.98		726.98
08-2009	Acquisition of COAH Unit	<u>116,356.45</u>	<u>\$2,356.45</u>	<u>114,000.00</u>
TOTALS		\$123,809.99	\$2,356.45	\$121,453.54

* 6. **2010 Budget Appropriation Transfer**

The following resolution was offered for consideration:

#R-2010-146

**TOWNSHIP OF READINGTON
 2010 BUDGET APPROPRIATION TRANSFERS**

PURSUANT TO NJSA 40A:4-58, a municipality may make budget appropriation transfers during the last two months in the fiscal year,

WHEREAS, there appears to be insufficient funds in the following 2010 appropriation accounts to meet the demands thereon from the balance of the year, viz:

Current Fund:

Salaries and Wages:

- Finance
- Tax Collector
- Library
- Municipal Court
- Construction Official

Other Expenses:

- Roads
- Gasoline
- Social Security

WHEREAS, there appears to be a surplus in the following accounts, over and above the demand to be necessary for the balance of the current year, viz:

Current Fund:

Other Expenses:

- Construction
- Legal Services
- Consultants

NOW, THEREFORE BE IT RESOLVED, that in accordance with the provision of NJS 40A:4-58 part of the surplus in the accounts heretofore mentioned be and same hereby transferred to the accounts mentioned as being insufficient, to meet the current demands; and,

BE IT RESOLVED, that the Chief Financial Officer is hereby authorized and directed to make the following 2010 appropriation transfers:

<u>NO.</u>	<u>CURRENT FUND:</u>	<u>FROM</u>	<u>TO</u>
	Inside Caps:		
	Other Expenses:		
	Construction		
023-200	Official	\$ 20,000.00	
106-200	Legal Services	40,000.00	
114-200	Consultants	19,500.00	
702-004	Gasoline		\$ 20,000.00
301-200	Roads		15,000.00
802-001	Social Security		3,500.00
	Salaries and		
	Wages:		
103-100	Finance		6,000.00
105-100	Tax Collector		20,500.00
604-100	Library		5,500.00
107-100	Municipal Court		1,000.00
023-100	Construction		<u>8,000.00</u>
	Official		
	Totals	<u>\$ 79,500.00</u>	<u>\$ 79,500.00</u>

- * 7. ***Resolution Authorizing Cooperative Contract Purchases through Middlesex Regional Education Services Commission*** (Storr Tractor Company)

The following resolution was offered for consideration:

#R-2010-147

***TOWNSHIP OF READINGTON
RESOLUTION AUTHORIZING COOPERATIVE CONTRACT PURCHASES***

WHEREAS, the Township of Readington wishes to purchase equipment from an authorized vendor under the Middlesex Regional Educational Services Commission CO-OP Purchasing Program and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, *N.J.S.A. 40A:11-12*; and

WHEREAS, Storr Tractor Company, 3191 Route 22, Branchburg, NJ 08876 has been awarded Middlesex Regional Educational Services Commission CO-OP Purchasing Program Bid #10/11-16 for a Case International Model 85U Series Tractor with Factory Cab and an Alamo Interstator Shoulder Mower for the period of 8/1/10 – 7/31/11; and

WHEREAS, the purchasing agent recommends the utilization of this contract on the grounds that it represents the best price available; and

WHEREAS, the actual cost for the purchase of Case International Model 85U Series Tractor with Factory is \$39,270, the Alamo Interstator Shoulder Mower is \$27,064 plus safety lighting; the combined total is not to exceed \$67,150; and

WHEREAS, the Chief Finance Officer has certified the availability of funds for this contract.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Readington, County of Hunterdon, State of New Jersey, that Storr Tractor Company be awarded a contract for the above mentioned equipment; and

BE IT FURTHER RESOLVED, The Mayor and Township Clerk are hereby authorized to sign the contract documents necessary to effectuate the award of this contract. The Township Attorney shall review any and all contractual documents prepared in furtherance of this award; and

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

- * 8. ***Resolution Adopting a Green Purchasing Policy***

The following resolution was offered for consideration:

#R-2010-148

***TOWNSHIP OF READINGTON
RESOLUTION ADOPTING A GREEN PURCHASING POLICY***

WHEREAS, the Township of Readington wishes to participate in the Sustainable Jersey Program and the Green Purchasing is one of the requirements; and

WHEREAS, the Township of Readington wishes to incorporate green purchasing where feasible and fiscally prudent; and

Resolution #R-2010-148 cont'd:

WHEREAS, the Green Purchasing Policy from Sustainable Jersey has been incorporated and revised to meet the Township's needs; and

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Readington adopts the attached as its Green Purchasing Policy.

BE IT FURTHER RESOLVED, that the Green Purchasing Policy and Procedures will be in effect as long as they do not conflict with the Purchasing Statutes of the State of New Jersey or become cost prohibitive for the Township of Readington.

**TOWNSHIP OF READINGTON
GREEN PURCHASING POLICY**

1.0 SUBJECT

Township of Readington Environmentally Preferable Purchasing Resolution
Effective Date: Upon Adoption

Table of Contents

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2.0 PURPOSE

The goal of this policy is to encourage and increase the use of environmentally preferable products and services in the Township of Readington. By including environmental considerations in purchasing decisions, Readington can promote practices that improve public and employee health, conserve natural resources and reward environmentally conscious manufacturers, while remaining fiscally responsible.

3.0 DEFINITIONS

For the purpose of this policy, the following definitions shall apply:

"Available locally" means that one or more businesses within the Township or immediate surrounding areas are able to provide the goods and services in a timely manner, and in sufficient quantity and quality to meet a specific need.

"Biodegradable" means the ability of a substance, material or product ingredient to readily decompose by the action of microbes.

"Chlorofluorocarbon (CFC)" refers to the family of compounds of chlorine, fluorine and carbon. CFC's contribute to the depletion of the stratospheric ozone layer and have been used as an ingredient for refrigerants, solvents and for blowing plastic-foam insulation and packaging.

"Environmentally preferable products and services" as defined by the Presidential Executive Order 13101 means products and services that have a lesser or reduced effect on human health and the environment when compared to competing products and services that serve the same purpose. This applies to raw material acquisition, as well as product manufacturing, distribution, use, maintenance and disposal. "Green building practices" means the incorporation of

environmental, health and waste prevention criteria in building design, site-planning and preparation, materials, acquisition, construction or remodeling, deconstruction and waste disposal.

Municipal employees serving on the "Green Team" and/or associated with product and goods procurement will comprise the Interdepartmental and Environmental Purchasing Task Force.

"Integrated pest management" means the use of a combination of pest control methods including improved sanitation, mechanical, physical, biological or chemical means.

"Post-consumer recycled material" refers to material that has served its intended use and has been discarded for disposal or recovery, having completed its life as a consumer item, and is used as a raw material for new products.

"Practicable" means satisfactory and within reason when considering price, performance, availability, compatibility with specified operation and public safety.

"Price-preference" means a percentage of increase in price that Readington will pay to obtain a designated product or service.

"Processed-chlorine free paper" refers to paper that is manufactured using a percentage of post-consumer recycled paper fiber (that may contain residues of chlorine) and is whitened without adding chlorine or chlorine derivatives.

"Rainforest hardwood/tropical wood" means wood that originates from trees grown in a rainforest.

"Recyclable" refers to a material or product that can be reprocessed, remanufactured or reused.

4.0 BACKGROUND

Local and state government, combined, purchase more than \$1 trillion of goods and services each year. Many of these products purchased contribute to the overall strain on the environment. Sometimes this includes the unintended contamination of the air and water, as well as depletion of environmental resources. In some instances, products require special waste disposal and reporting procedures which can be cumbersome and expensive. Furthermore, local government employees using these products without proper training may be exposed to compounds that are potentially harmful to their health.

Readington has an opportunity to serve as a community model for environmental leadership by incorporating a plan of action that will conserve precious resources such as water, raw materials and energy, reduce the use of hazardous substances and potentially improve the environmental quality of the region. By incorporating environmental consideration in public purchasing, Readington can reduce its burden on the local and global environment, remove unnecessary hazards from its operations, protect, public health, reduce costs and liabilities and help develop markets for environmentally responsible products.

5.0 GENERAL POLICIES

The Administration shall coordinate the activities of the Interdepartmental and Environmental Purchasing Task Force (hereinafter "the Task Force") to (1) identify opportunities for environmental purchasing initiatives, (2) provide a forum for open discussion by affected personnel and (3) educate and inform staff about the environmental purchasing program. The Task Force shall meet quarterly following the adoption of this policy.

The Task Force shall designate an Environmental Purchasing Coordinator (hereinafter "the

Coordinator") to provide oversight to the Task Force, discuss with individual departments opportunities to increase environmental purchasing where relevant, coordinate outreach/training for staff, report to jurisdiction leadership and provide general support to maintain the environmental purchasing program.

By April 2011, the Task Force shall encourage a minimum of one department to perform a pilot or demonstration study of environmentally preferable purchasing. The following departments and operations are potential sites for environmental purchasing demonstrations: Department of Buildings and Grounds janitorial services/products. The Coordinator shall provide technical/logistical assistance to help incorporate environmentally preferable products into their operations. Results of initial pilot studies shall be evaluated and reported to the Administrator and/or Qualified Purchasing Agent. As feasible, all departments are encouraged to advance environmental purchasing for their specific operations.

All departments, offices and agencies shall use environmentally preferable products where practicable and financially feasible no later than December 31, 2011.

6.0 RESEARCH, PLANNING AND EDUCATION

The Environmental Purchasing Task Force shall research opportunities to (a) expand the purchase of environmentally preferable products; (b) identify environmentally preferable alternatives; (c) recommend goals, where practicable, to practice alternative processes within Readington operations that will reduce the use/disposal of hazardous substances as well as promote resource conservation.

7.0 PERFORMANCE, PRICE AND AVAILABILITY

Nothing contained in this policy shall be construed as requiring a department or contractor to procure products that do not perform adequately for their intended use, exclude adequate competition or are not available at a reasonable price in a reasonable period of time.

- * 9. *J&L Electrical and Communications* – release of police escrow funds

- * 10. *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	\$ 858,564.86
SEWER APPROPRIATIONS	0-02	\$ 100,456.00
TRUST FUNDS	X-03	\$ 14,787.98
MISC REFUND, COUNTY TAX, LIENS	X-05	\$1,738,080.43
PAYROLL DEDUCTIONS	X-06	\$ 191,738.65
2010 CAP. ORDINANCE	X-10	\$ 4,497.30
2006 CAP. ORDINANCE	X-66	\$ 427.50
2008 CAP. ORDINANCE	X-88	<u>\$ 2,699.99</u>
TOTAL OF ALL FUNDS		\$2,911,252.71

A **MOTION** was made by Mr. Auriemma to approve the Consent Agenda, 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

PUBLIC HEARINGS

As it was after 8:00 p.m., **A MOTION** was made by Mrs. Allen 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 Vacation of a Portion of a Right of Way Easement Located within Block 13, Lot 36 in the Township of Readington, County of Hunterdon and State of New Jersey

γ Ordinance # 31-2010

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 Vacation of a Portion of a Right of Way Easement Located within Block 13, Lot 36 in the Township of Readington, County of Hunterdon and State of New Jersey

γ Ordinance # 31-2010

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. Muir with a vote of ayes all, nays none recorded.

Clerk read by Title:

An Ordinance Supplementing and Amending Volume II Chapter II Chapter 148 Entitled "Land Development" of the Code of the Township of Readington, 2000, as Heretofore Supplemented and Amended, to Revise the Regulations Addressing the Development of Personal Wireless Telecommunications Facilities in Order to Reduce Potential for Negative Impacts

γ Ordinance # 32-2010

Mrs. Allen stated that the purpose of this ordinance is to specify the location for cell towers.

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 Supplementing and Amending Volume II Chapter II Chapter 148 Entitled “Land Development” of the Code of the Township of Readington, 2000, as Heretofore Supplemented and Amended, to Revise the Regulations Addressing the Development of Personal Wireless Telecommunications Facilities in Order to Reduce Potential for Negative Impacts

γ Ordinance # 32-2010

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

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 Appropriating \$115,000 from the Housing Trust Fund for the Acquisition of an Affordable Housing Unit at Block 21.06, Lot 301.06 (404 Dove Cote Court) in and by the Township of Readington, in the County Of Hunterdon, New Jersey

γ Ordinance # 33-2010

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

Mrs. Allen stated that this unit would be sold deed restricted for thirty years subsequent to the Township purchasing it; therefore the Township would recoup almost all of the funds.

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 Appropriating \$115,000 from the Housing Trust Fund for the Acquisition of an Affordable Housing Unit at Block 21.06, Lot 301.06 (404 Dove Cote Court) in and by the Township of Readington, in the County Of Hunterdon, New Jersey

γ Ordinance # 33-2010

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 Authorizing the Conveyance of an Easement on Property Known as Block 73, Lot 9.01 & 9.02 to Jersey Central Power and Light Company

γ Ordinance # 34-2010

Mayor Shamey stated that this ordinance allows JCP&L to have access to the power lines.

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 Authorizing the Conveyance of an Easement on Property Known as Block 73, Lot 9.01 & 9.02 to Jersey Central Power and Light Company

γ Ordinance # 34-2010

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. Notice of Public Hearings from Donald Carter, Vice President of Operations regarding ***a Petition filed with the NJ Board of Pubic Utilities (“BPU”) or “Board”) in BPU Docket No. GR10110836 to revise its Utility Infrastructure Enhancement Rider.*** No action taken.
2. Resolution from Planning Board, Township of Hillsborough, regarding ***Approving the Adoption of the Master Plan Amendment Land Use Element – December 2010.*** No action taken.
3. Mayor’s Advisory from William G. Dressel, Jr., Executive Director, NJ State League of Municipalities regarding ***Urging for the Exemption for Reserve for Uncollected Taxes Sample Resolution.***

The following resolution was offered for consideration:

#R-2010-149

**TOWNSHIP OF READINGTON
RESOLUTION CALLING ON THE STATE LEGISLATURE AND THE GOVERNOR TO
EXEMPT THE RESERVE FOR UNCOLLECTED TAXES FROM THE 2% CAP**

WHEREAS, on July 13, 2010, Governor Christie signed into law P.L. 2010,c. 44, which reduced the cap on the property tax levy from 4% to 2% and limited the number of exemptions; and

WHEREAS, when the property tax levy was reduced, the exemption for the Reserve for Uncollected Taxes was removed; and

WHEREAS, in addition to collecting property taxes for its own operations, the municipality also serves as the collection agent for the county, school districts, fire districts and other special local entities; and

WHEREAS, the municipality must provide those entities with the full amount they deem necessary for their operations, regardless of the actual collection rate; and

WHEREAS, due to myriad factors beyond local control, the actual collection rate never equals the total local levy, especially during an economic downturn, when unemployment soars and the property values plummet, causing an increase in tax appeals, which the municipality must defend and which subject the municipal budget to further losses, when successful; and

WHEREAS, to account for the shortfall and potential losses, State law requires the municipality to budget an appropriation in a line item known as the Reserve for Uncollected Taxes, which is generally determined through a formula driven calculation in which the variables change year to year; and

WHEREAS, without a levy cap exemption, municipalities will be forced to further cut their own operations, in order to meet the 2% tax levy to provide the county, school districts, fire districts and other special local entities the full amount they deem necessary for their operations; and

WHEREAS, those other local entities, which do not have to budget for collection rate short-falls or the impact of declining property values, have been granted levy cap exceptions to address factors beyond their control; and

WHEREAS, Assemblymen McKeon and Burzichelli has recently introduced A-3603, which excludes increases in appropriations to the Reserve for Uncollected Taxes in excess of two percent, from the calculations of the municipal adjusted tax levy;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Readington herby urge the swift passage and signing of A-3603;

BE IT FURTHER RESOLVED, that consideration also be given to providing a levy cap exception to account for the impact of tax appeals on local operations; and

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Shelia Oliver, to our State Senator, to our two Representatives in the General Assembly, and to the New Jersey League of Municipalities.

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

NEW BUSINESS

- * 1. ***Authorization to prepare and sign closing documentation needed to effectuate the sale of Block 94, Lot 11 to Buyer Eugene Salamon***

This item was addressed under the Consent Agenda.

- * 2. ***Special Items of Revenue and Appropriation in the 2010 Budget***

This item was addressed under the Consent Agenda.

- * 3. ***Resolution to Cancel Old Outstanding Checks***

This item was addressed under the Consent Agenda.

- * 4. ***Resolution to Cancel General Capital Ordinance Balances***

This item was addressed under the Consent Agenda.

- * 5. ***2010 Budget Appropriation Transfer***

This item was addressed under the Consent Agenda.

- * 6. ***Resolution Authorizing Cooperative Contract Purchases through Middlesex Regional Education Services Commission (Storr Tractor Company)***

This item was addressed under the Consent Agenda.

- * 7. ***Resolution Adopting a Green Purchasing Policy***

This item was addressed under the Consent Agenda.

- * 8. ***J&L Electrical and Communications – release of police escrow funds***

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported that the Township received a check for the Amawalk property from the County Open Space Trust Fund under the Municipal Grant Program in the amount of \$138,214.58. Administrator Mekovetz stated that additionally a check was received in the amount of \$1,308,634.00 for Readington Properties Project from our Green Acres Planning Incentive Grant.

Administrator Mekovetz reported that the Police Department obtained \$94,948.00 from the Drug Enforcement Agency for cases where our Police Department assisted in matters that resulted in seizures of money.

Administrator Mekovetz reported that JCP&L will be doing some routine tree trimming on Main Street and also throughout the Township.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

COMMITTEE REPORTS

Gerard Shamey

Mayor Shamey stated that he had nothing further to report.

Julia Allen

Mrs. Allen stated that the Open Space Walk took place yesterday on the Cole Road Greenway and the next one is scheduled for the third Sunday in January on Dreahook Road Open Space.

Thomas Auriemma

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

Mr. Gatti

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

Beatrice Muir

Mrs. Muir reported that there is a pet vaccination clinic in January at the Department of Public Works.

COMMENTS FROM THE PUBLIC

Mr. John Kalinach, of Whitehouse Station, wished a Merry Christmas and Happy New Year to everyone and also thanked Mayor Shamey for all his work that he has done for the Township over the years.

Mr. Gerry Cook, of Evergreen Farm, also wished everyone a Merry Christmas and Happy New Year and wished Mayor Shamey well and thanked him for his professionalism and dedicated volunteering.

COMMENTS FROM THE GOVERNING BODY

Mayor Shamey stated it has been a pleasure to serve Readington Township, thanking Administrator Mekovetz, Attorney Dragan and his fellow Committee members for all their support over the years.

Mayor Shamey welcomed Donna Simon as the newest Committee member who will be taking office January 3rd and wished her the best.

As there was no further business, **A MOTION** was made by Mr. Auriemma at 8:55 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
Municipal Clerk