

**READINGTON TOWNSHIP COMMITTEE
MEETING – April 18, 2011**

Mayor Gatti *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 F. Gatti, Deputy Mayor T. Auriemma, Mrs. J. Allen, Mrs. B. Muir
Mrs. D. Simon

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>
Department of Public Works.....	Personnel.....	Certain information at the discretion of Township Committee tonight...other information will be confidential
Volunteer Agreement / FACT.....	Contract Negotiations.....	“ “ “
Executive Session Minutes..... •April 4, 2011	Attorney-Client Privilege.....	“ “ “
Hunterdon Hills Vet. Corp. Inc /	Potential 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 7:35 p.m.

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

Executive Session:

Personnel / Department of Public Works

A **MOTION** was made by Mr. Auriemma to hire Chris Beam and Kane Hoy as temporary summer help at a rate of \$10/hour, seconded by Mrs. Allen and on Roll Call vote the following was recorded:

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

Contract Negotiations / Volunteer Agreement / FACT

A **MOTION** was made by Mrs. Allen to approve this agreement, seconded by Mrs. Simon and on Roll Call vote the following was recorded:

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

Attorney –Client Privilege/Executive Session Minutes (April 4, 2011)

A **MOTION** was made by Mr. Auriemma to approve the Executive Session Minutes of April 4, 2011 for content only as amended, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

Potential Litigation / Hunterdon Hills Vet Corp., Inc. / Escrow Fees

Mayor Gatti 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 Gatti stated that this matter remains in Executive Session.

Mayor Gatti stated that an item was added to the Executive Session Agenda.

Contract Negotiations / 126 Buttercup Court

Mayor Gatti stated that this matter remains in Executive Session.

CONSENT AGENDA:

Mayor Gatti 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 April 4, 2011
- * 2. **Resolution Authorizing Morris County Cooperative Purchases**
(International Truck Cab/Chassis Dump Truck & Additional Equipment)

The following resolution was offered for consideration:

#R-2011-47

**TOWNSHIP OF READINGTON
RESOLUTION AUTHORIZING MORRIS COUNTY COOPERATIVE
PURCHASES**

WHEREAS, the Township of Readington wishes to purchase one (1) International Truck Cab/Chassis and additional equipment of a body, spreader, hydraulics and plow from an authorized vendor under the Morris County 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, Deluxe International Trucks, Inc., 600 South River Street, Hackensack, NJ 07601 has been awarded Morris County CO-OP Purchasing Program Contract No. # 15-C for the Cab/Chassis Dump Truck (item #13) for a period of eleven (11) months to expire August 31, 2011; and

WHEREAS, Cliffside Body Corporation, 130 Broad Avenue, Fairview, NJ 07022 has been awarded Morris County CO-OP Purchasing Program Contract No. # 15-D (item #3) for the Dump Truck body, spreader, hydraulics and plow to be additional equipment for the trucks for a period of eleven (11) months to expire August 31, 2011; 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 (1) Cab/Chassis Truck and the additional equipment of the body, spreader, hydraulics and plow is expected not to exceed \$150,000; 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 Deluxe International Trucks, Inc. be awarded a contract for the International Truck Cab/Chassis and Cliffside Body Corporation be awarded the contract for the additional equipment of body, spreader, hydraulics and plow; 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.

- * 3. **Social Affair Permit** – Knights of Columbus Council #10627
July 29th, 30th and 31st (Balloon Festival)

- * 4. **Release of Escrow** – Manors at Oldwick (\$1,019.25)
- * 5. **Postponement of Mortgage** – Ronald and Anne LeMieux (404 South Branch Drive)
- * 6. **Tax Lien Redemption** (Block 12.01, Lot 6)

READINGTON TOWNSHIP

HUNTERDON COUNTY, STATE OF NEW JERSEY

RESOLUTION

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 12.01, Lot 6 and,

WHEREAS, it is the desire of the Tax Collector to refund to the lienholder the redemption amount.

NOW THEREFORE BE IT RESOLVED by the Township Committee that the Treasurer be authorized to refund the redemption amount of \$59,223.16, known as Tax Sale Certificate #579, to the lienholder, US Bank – Cust/SASS Muni V dtr.

- * 7. **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	\$ 286.80
CURRENT FUND	1-01	\$1,149,523.95
SEWER APPROPRIATIONS	1-02	\$ 110.00
TRUST FUNDS	X-03	\$ 43,816.86
MISC REFUND, COUNTY TAX, LIENS	X-05	\$ 63,839.86
PAYROLL DEDUCTIONS	X-06	\$ 186,954.38
DUE TO STATE OF NJ	X-09	\$ 75.00
2006 CAPITAL	X-66	\$ 1,034.75
2008 CAPITAL	X-88	<u>\$ 1,034.75</u>
TOTAL OF ALL FUNDS		\$ 1,446,676.35

A **MOTION** was made by Mrs. Allen to approve the Consent Agenda, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

COMMENTS FROM THE PUBLIC for items listed on the agenda only

There were none.

PUBLIC HEARINGS

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

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,322,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,255,900 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE #09-2011

Administrator Mekovetz stated that she would just like to amend a portion of the ordinance under miscellaneous to read *paving of Summer Road Park emergency services access driveway*.

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

There were none.

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

There were none.

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

Clerk read by Title:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE TOWNSHIP OF READINGTON, IN THE COUNTY OF HUNTERDON, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$1,322,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,255,900 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

ORDINANCE #09-2011

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
Mrs. Muir	- Aye
Mrs. Simon	- Aye
Mayor Gatti	- Aye

CORRESPONDENCE / OTHER INFORMATION

1. Letter dated March 25, 2011 from Robert P. Koska, Director, Local Programs & Minibus Support, NJ Transit regarding *Application for Funding for the Purchase of Equipment for Transportation of Senior Citizens and People with Disabilities under the FTA Section 5310 Grant Program*. No action taken.
2. Memorandum dated March 30, 2011 from Debora Padgett, Planning Board/Board of Adjustment Clerk, Township of Hillsborough regarding *Hillsborough Township 2011 Master Plan Amendment – Land Use Element*. No action taken.
3. Notice to Public Service Electric and Gas Company Customers from Alexander C. Stern, Assistant General Regulatory Counsel regarding *Matter of the Petition of Public Service Electric and Gas Company for an Extension of Three Subprogram Components of its Energy Efficiency Economic Stimulus Program in its Service Territory on a Regulated Basis and Associated Cost Recovery and for Changes in the Tariff for Electric Service*. No action taken.

4. Notice to Public Service Electric and Gas Company Customers from Gregory Eisenstark, Esq., Associate General Regulatory Counsel regarding ***Matter of the Petition of Public Service Electric and Gas Company for an Extension of the Gas Capital Economic Stimulus Infrastructure Investment Program and Associated Cost Recovery Mechanism and to Roll into Rate Base the Net Capital Investment for all the Qualifying Projects from the Initial Capital Economic Stimulus Infrastructure Investment Program Upon Completion.***
No action taken.

NEW BUSINESS

1. ***An Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank***

The following ordinance was offered for introduction:

**CALENDAR YEAR 2011
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

ORDINANCE #10-2011

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Readington in the County of Hunterdon finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee of the Township of Readington hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 442,983.46 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Township Committee of the Township of Readington hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Readington, in the County of Hunterdon, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Township of Readington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5 %, amounting to \$ 189,850.05, and that the CY 2011 municipal budget for the Township of Readington be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

Ordinance #10-2011 cont'd:

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A **MOTION** was made by Mrs. Allen to introduce this ordinance, seconded by Mrs. Simon and on Roll Call vote the following was recorded:

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

A Public Hearing was scheduled for May 2, 2011 at 8:00 p.m.

2. **2011 Budget** - introduction

Administrator Mekovetz gave a power point slide presentation on the 2011 Budget and a brief synopsis on the appropriation cap versus the levy cap. Administrator Mekovetz stated that the COLA cap is set at 2%; however, this cap may be increased to 3.5% by ordinance, allowing the Township to bank up to two years and then, if it is not utilized, the banked amount is removed. Administrator Mekovetz stated that the 2010 Budget was \$17,222,039 and the proposed budget for 2011 is \$17,091,039. Mayor Gatti stated that the proposed municipal tax rate remains flat at .43¢ despite the 3.5% decrease in valuation assessments. Mayor Gatti stated that the falling revenues were due to reduced State aid and also the fact that construction fees have basically dried up.

A **MOTION** was made by Mrs. Allen to introduce the 2011 Budget, seconded by Mrs. Muir and on Roll Call vote the following was recorded:

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

The Public Hearing was scheduled for May 16, 2011 at 7:30 p.m.

3. **Request to Host Yard Sale on Township Property (Cornhuskers Ballpark)** - letter from Robert Nonni, Marconi Lodge #2634, Order Sons of Italy in America

A **MOTION** was made by Mrs. Allen to approve this request as long as the date of the yard sale does not conflict with recreation activities, in addition to providing insurance and contacting the police with regard to parking and apply for any other necessary permits, seconded by Mrs. Muir with a vote of ayes all, nays none recorded.

4. **Whitehouse Fire Company No. 1 Request to Approve Reimbursement of Funds for Equipment Purchase**

Administrator Mekovetz stated that it is the intent of the firehouse company to purchase the apparatus and they wanted an obligation from the Township Committee that the funds, which that are normally listed in the budget as part of their aid, to be earmarked for the next several years in order for them to get reimbursed for that equipment. Mrs. Allen stated that the fire company can look at the history of the support from the township and extrapolate; however the Committee cannot legally vote to obligate something in the future years. The Committee agreed with this decision.

- * 5. **Resolution Authorizing Morris County Cooperative Purchases**
(International Truck Cab/Chassis Dump Truck & Additional Equipment)

This matter was addressed under the Consent Agenda.

- * 6. **Social Affair Permit** – Knights of Columbus Council #10627
July 29th, 30th and 31st (Balloon Festival)

This matter was addressed under the Consent Agenda.

- * 7. **Release of Escrow** – Manors at Oldwick, LLC. (\$1,019.25)

This matter was addressed under the Consent Agenda.

- * 8. **Postponement of Mortgage** – Ronald and Anne LeMieux (404 South Branch Drive)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz reported that the Township was approved for a \$450,000 grant from Green Acres under our Planning Incentive Grant.

ATTORNEYS REPORT

Attorney Dragan stated that she submitted a resolution to authorize the signing for the closing documentation for the sale of Block 94, Lot 17.

The following resolution was offered for introduction:

#R-2011-48

TOWNSHIP OF READINGTON 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 17 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

WHEREAS, as a result of the auction, the highest bid received to purchase the property was offered by Oliver and Karen Elbert (hereinafter “Buyers”), in the amount of \$290,000.00; 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 and an addendum thereto with Buyers in accordance with the offer made, and further, subject to easements set forth in the specifications required by the Township in the auction package, said transaction to include the conveyance of an approximately 15’ x 125’ portion of Block 94, Lot 16.03 (.044 ac. +/-), to be annexed to Block 94, Lot 17 as required by the County of Hunterdon as a condition of accepting Block 94, Lot 17 into its farmland preservation program; and

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

Resolution #R-2011-48 cont'd:

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

1. On behalf of the Township Committee, the Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as the case may be, are authorized to prepare and sign any and all necessary closing documentation, including the deed, affidavit of title, closing statements, agricultural development rights easement documents, post-closing agreements and any other documentation needed to effectuate the sale of Block 94, Lot 17 to the Buyers Oliver and Karen Elbert, as a property deed-restricted for agricultural purposes, as well as the conveyance of a 15' x 125' +/- portion of Block 94, Lot 16.03 (.044 ac. +/-) to be annexed to Block 94, Lot 17, in accordance with the auction terms, the contract and addendum thereto, prior resolutions approving same, and this resolution.
2. This Resolution shall take effect immediately.

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

COMMITTEE REPORTS

Frank Gatti

Mayor Gatti stated that he had nothing further to report.

Julia Allen

Mrs. Allen reported that the Planning Board meeting for next Monday night has been cancelled.

Mrs. Allen reported that the Open Space Walk took place yesterday on Cushetunk Mountain.

Thomas Auriemma

Mr. Auriemma stated that he had nothing to report.

Beatrice Muir

Mrs. Muir reported that the Board of Health has a major subdivision coming before them this week.

Mrs. Muir reported that there are 90 families that will be receiving assistance for the holiday from Social Services.

Donna Simon

Mrs. Simon stated that Amy Switlyk from Clinton Township, Shaun Van Doren from Tewksbury and herself are in the preliminary talking stages of asking legislation to appeal the denial of the state grant for Potterstown Road.

Mrs. Simon reported that the shared services meeting last week with Clerks and Business Administrators was very positive and a focus working group will be meeting on May 14th. Mrs. Simon stated that she had initiated a shared services meeting on May 4th between Clinton Township and Tewksbury involving the mayor and the shared services liaison.

Mrs. Simon reported that on Wednesday she will be meeting with Judge Shamey, CFO Tom Carro and Administrator Mekovetz to review revenue generation within the municipal court.

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 Mrs. Muir at 8:35 p.m. to adjourn the meeting, seconded by Mr. Auriemma with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/RPPO
Municipal Clerk