

**READINGTON TOWNSHIP COMMITTEE
MEETING – August 1, 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. D. Simon

ALSO PRESENT: Administrator Mekovetz, Attorney S. Dragan, Engineer R. O'Brien

ABSENT: Mrs. B. Muir

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> |
|---|---|--|
| Finance Office | Personnel..... | Certain information at the discretion of Township Committee tonight...other information will be confidential |
| Recreation..... | Personnel..... | “ “ “ |
| Teamsters Local No. 469..... White Collar Contract | Contract Negotiations..... | “ “ “ |
| Teamster Local No. 469..... Building and Grounds | Contract Negotiations..... | “ “ “ |
| Century Link / Block 95, Lot 3..... | Contract Negotiations..... | “ “ “ |
| ECHO Unit / Ahern..... | Contract Negotiations..... | “ “ “ |
| Executive Session Minutes..... July 18, 2011 | Attorney-Client Privilege..... | “ “ “ |
| Tilcon NY v. Morris Co. Co-Op..... Pricing Council, et al. | 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. Simon to adopt this resolution, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

The meeting reconvened at 7:58 p.m.

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

Executive Session:

Personnel / Finance Office

A **MOTION** was made by Mr. Auriemma to accept the letter of retirement from Christine Gear, Accounts Payable Clerk, effective February 1, 2012, seconded by Mrs. Simon with a vote of ayes all, nays none recorded.

A **MOTION** was made by Mr. Auriemma to give permission to Administrator Mekovetz to advertise for the replacement of Accounts Payable Clerk position in the early Fall, seconded by Mrs. Simon with a vote of ayes all, nays none recorded.

Personnel / Recreation

Mayor Gatti stated that this matter remains in Executive Session.

Contract Negotiations / Teamsters Local No. 469 / White Collar Contract

Mayor Gatti stated that this matter remains in Executive Session.

Contract Negotiations / Teamster Local No. 469 / Building and Grounds

Mayor Gatti stated that this matter remains in Executive Session.

Contract Negotiations / Century Link / Block 95, Lot 3

A **MOTION** was made by Mrs. Allen to accept the easement agreement with the amendments recommended by Attorney Dragan, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Contract Negotiations / Maintenance and Repairs Bid Awards

Mayor Gatti stated that this matter will be deferred until the next meeting.

Contract Negotiations / ECHO Unit / Ahern

A **MOTION** was made by Mrs. Allen to waive the removal responsibility portion of the lease and not enforce that condition of the planning board resolution, seconded by Mr. Auriemma and on Roll Call vote the following was recorded:

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

Attorney –Client Privilege/Executive Session Minutes (July 18, 2011)

A **MOTION** was made by Mrs. Allen to approve the Executive Session Minutes of July 18, 2011 for content only, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

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 July 18, 2011
- * 2. ***Award for County 2011 Bid for Cooperative Resurfacing and Surface Treatment Program***
- * 3. ***Resolution to Extend Grace Period for Payment of Third Quarter 2011 Property Taxes***

The following resolution was offered for consideration:

#R-2011-84

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

WHEREAS, the 2011 tax rate was received by Readington Township on July 21, 2011 and,

WHEREAS, 2011 Final/2012 Preliminary Tax Bills were mailed to property owners on July 27, 2011 and,

WHEREAS, pursuant to N.J.S.A. 54:4-66.3, the grace period for payment of taxes must not be less than 25 days from the date that the bills were mailed.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Readington that the grace period for payment of 3rd Quarter 2011 property taxes be extended to August 30, 2011, with interest accruing from August 1, 2011 for any payments not made within the grace period.

* 4. ***Lead Agency Resolution for the Establishment of a Cooperative Pricing System***

The following resolution was offered for consideration:

#R-2011-85

RESOLUTION AUTHORIZING THE TOWNSHIP OF READINGTON TO ESTABLISH A COOPERATIVE PRICING SYSTEM AND TO ENTER INTO COOPERATIVE PRICING AGREEMENTS WITH OTHER CONTRACTING UNITS

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes two or more contracting units to establish a Cooperative Pricing System and to enter into a Cooperative Pricing Agreement for its administration; and

WHEREAS, the Township of Readington, County of Hunterdon, State of New Jersey is desirous of establishing a Cooperative Pricing System and entering into a Cooperative Pricing Agreement with other contracting units;

WHEREAS, the Township of Readington has agreed to serve as the Lead Agency for a Cooperative Pricing System; and

WHEREAS, on August 1, 2011 the governing body of the Township of Readington, County of Hunterdon, State of New Jersey duly considered the establishment of a Cooperative Pricing System for the provision and performance of goods and services.

NOW THEREFORE BE IT RESOLVED as follows:

1. The governing body of the Township of Readington hereby authorizes the creation of a Cooperative Pricing System to be known as Renewable Energy Cooperative with the Township of Readington serving as the Lead Agency.
2. The Mayor and Township Administrator/Clerk are hereby authorized to enter into separate Cooperative Pricing Agreements with the participating contracting units and said Agreement shall be deemed a single Agreement.
3. A single certified copy of this resolution shall be forwarded to the Division of Local Government Services as part of the application for the registration of this Cooperative Pricing System.
4. This resolution shall take effect immediately upon passage.

* 5. ***Firemen's Membership Application*** – Tyler J. Wahler

* 6. ***Amber Light Permits*** (Ferreira Construction)

* 7. ***Release of Developers Escrow*** - Bellemead Development (\$472.93)

* 8. ***Tax Lien Redemption***

The following resolution was offered for consideration:

RESOLUTION

WHEREAS, an interested party has paid to the Tax Collector the amount necessary to redeem the lien on Block 70.01, Lot 12 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 \$37,518.46, plus a premium paid in the amount of \$12,000.00, known as Tax Sale Certificate #595, to the lienholder, Royal Tax Lien Services, LLC.

- * 9. **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 | 1-01 | \$ 801,336.20 |
| SEWER APPROPRIATIONS | 1-02 | \$ 101,938.28 |
| TRUST FUNDS | X-03 | \$ 30,713.59 |
| MISC REFUND, COUNTY TAX, LIENS | X-05 | \$3,191,652.75 |
| PAYROLL DEDUCTIONS | X-06 | \$ 222,015.49 |
| 2011 CAPITAL ORDINANCE | X-11 | <u>\$ 5,301.52</u> |
| TOTAL OF ALL FUNDS | | \$ 4,352,957.83 |

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

- Mrs. Allen - Aye
- Mr. Auriemma - 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 Mr. Auriemma to adjourn the regular meeting to hold a Public Hearing, seconded by Mrs. Simon with a vote of ayes all, nays none recorded.

Clerk read by Title:

2011 SALARY ORDINANCE

γ Ordinance # 15-2011

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

Mayor Gatti stated that over the last couple years the staff in Readington Township has been reduced by approximately 8% therefore relying on the remaining employees to pick up additional work, in addition to continuing to offer the same courteous service expected by the public. He felt the proposed 2% raises were well deserved.

Mrs. Simon stated that she felt in this economic climate, and also considering that this will carry a redundancy for next year, she disagreed with the raises for this year.

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

There were none.

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

Clerk read by Title:

2011 SALARY ORDINANCE

γ Ordinance # 15-2011

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

| | |
|--------------|-------|
| Mrs. Allen | - Aye |
| Mr. Auriemma | - Aye |
| Mrs. Simon | - Nay |
| Mayor Gatti | - Aye |

A MOTION was made by Mr. Auriemma 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:

***AN ORDINANCE AMENDING CHAPTER 66 OF THE CODE OF THE TOWNSHIP OF
READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY TO
REGULATE THE UNDERAGE POSSESSION OR CONSUMPTION OF ALCOHOLIC
BEVERAGES ON PRIVATE PROPERTY***

γ Ordinance # 16-2011

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

Mrs. Simon stated that she disagreed with this ordinance since she felt this is a parenting issue.

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

Daniel Sergeant, Pearl Street, stated that he would like to see the first offense be forty (40) hours of community service and no fine and asked, since there would be both a municipal ordinance and a state statute in place, would the enforcement be discretionary by the police officer.

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

Clerk read by Title:

***AN ORDINANCE AMENDING CHAPTER 66 OF THE CODE OF THE TOWNSHIP OF
READINGTON, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY TO
REGULATE THE UNDERAGE POSSESSION OR CONSUMPTION OF ALCOHOLIC
BEVERAGES ON PRIVATE PROPERTY***

γ Ordinance # 16-2011

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

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

CORRESPONDENCE / OTHER INFORMATION

1. Notice to Public Service Electric and Gas Company Customers from Alexander C. Stern, Esq. Assistant General Regulatory Counsel, regarding *Public Service and Electric Gas Company's 2011/2012 Annual BGSS Commodity Charge Filing for its Residential Gas Customers under its Periodic Pricing Mechanism and for Changes in the Tariff for Gas Service B.P.U.N.J. No. 15 Gas Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1*. No action taken.
2. Letter dated July 13, 2011 from Joseph W. Zoltowski, Chief, Bureau of Plant, Pest & Disease Control regarding *Application for Survey of Gypsy Moth Egg Masses*.

A **MOTION** was made by Mrs. Allen to authorize the survey for Gypsy Moth Egg Masses, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

3. Notice to Public Service Electric and Gas Company Customers from Mally Becker, Esq., Assistant General Regulatory Counsel, regarding *2011/2012 Annual Compliance Filing for a Change in the Statewide Electric and Gas Permanent Universal Service Fund Program Factors within the Electric and Gas Societal Benefits Charges Rates Pursuant to N.J.S.A. 48:2-21 and N.J.S.A. 48:2-21.1*. No action taken.
4. NJ Transit Public Hearing Notice from James Weinstein, Executive Director, NJ Transit Corporation regarding *Public Hearing to Gather Information and Receives Comments from Interested Parties Concerning Programs Developed Pursuant to the Senior Citizen and Disabled Resident Transportation Assistance Act (SCDRTAP)*. No action taken.
5. Notice of Public Hearings from Donald Carter, Vice-President of Operations, Pivotal Utility Holdings, Inc. d/b/a Elizabethtown Gas regarding *Filing a Petition with the New Jersey Board of Public Utilities ("BPU" or "Board") in Docket No. GR11060330 to Review its Periodic Basic Gas Supply Service ("BGSS-P") Rate*. No action taken.

NEW BUSINESS

1. *An Ordinance Authorizing the Conveyance of a Limited Right of Entry and Access Agreement on Property Known as Block 95, Lot 3 to United Telephone Company of New Jersey D/B/A CenturyLink*

The following ordinance was offered for introduction:

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A LIMITED RIGHT OF ENTRY AND ACCESS AGREEMENT ON PROPERTY KNOWN AS BLOCK 95, LOT 3 TO UNITED TELEPHONE COMPANY OF NEW JERSEY D/B/A CENTURY LINK

ORDINANCE #17-2011

WHEREAS, the Township has received a request from United Telephone Company of New Jersey d/b/a/ CenturyLink (hereinafter "CenturyLink") for a permanent right of entry and access (hereinafter "Property Interest") allowing it to, among other listed activities, install, maintain, construct and improve utility poles, and other associated appurtenances on a portion of property located on 513 Old York Road in the Township (Block 95, Lot 3 on the Tax Map)

hereinafter (“the Property”) upon which the Township owns and operates a sewer pump station. Block 95, Lot 3 is currently owned by Matthew J. Boylan and Susan M. Boylan (“Property

Ordinance #17-2011 cont’d:

Owner”) and Readington Township owns an easement on the Property for the sewer pump station.

WHEREAS, CenturyLink has secured a utility easement from the Property Owner to share use of the Property with the Township; and

WHEREAS, the conveyance of the requested Property Interest will serve the public welfare as it will enhance communications to service to the Township and its residents, provided that adequate conditions are in place to protect the Township’s operations in connection with the sewer pump station, as set forth; and

WHEREAS, a copy of a proposed Limited Right of Entry and Access Agreement setting forth the conditions of the Property Interest is on file in the Township Clerk’s Office and a copy of the proposed area of entry and access is attached as Schedule A (On File in Clerk’s Office for Review); and

WHEREAS, the Township is permitted to make the conveyance under N.J.S.A. 40A:12-13 et seq. and any other applicable law.

NOW, THEREFORE 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 convey to CenturyLink, for nominal consideration, a Property Interest, specifically, a limited right of entry and access within a portion of the easement it owns on Block 95, Lot 3, also known as 513 Old York Road in the Township, as more particularly set forth in the “Limited Right of Entry and Access Agreement on file in the Township Clerk’s Office, which the Township Committee also hereby approves.

Section 2. On behalf of the Township Committee of the Township of Readington, the Mayor, Deputy Mayor, Township Administrator/Clerk and Township Attorney, as appropriate, are authorized to prepare and sign any and all documentation necessary to effectuate the aforesaid conveyance to the CenturyLink.

Section 3. Severability.
If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any such article, section, subsection, paragraph or clause and, to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. Effective Date.
This ordinance shall take effect immediately upon final adoption and publication according to law.

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

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

The Public Hearing was scheduled for September 6, 2011 at 8:00 p.m.

2. ***#6 Hamilton Road, Block 68, Lot 5.19 / Drainage Easement*** – memorandum dated July 26, 2011 from Engineer Robert O’Brien

Engineer O’Brien stated that he had received a complaint from a property owner regarding a drainage problem creating a hazardous condition and eroding their property as shown in the photos he had taken. Engineer O’Brien explained that there is a 25 ft. wide drainage easement that takes most of the road water from Hamilton Road and the adjacent property. Engineer O’Brien stated that the recommendation would be to pipe it further down the embankment and outlet it to a stabilized outlet. Engineer O’Brien also stated that as a Tier A Permit under the Stormwater Permit, the Township is required to make sure that the outfall is not subject to erosion, and if so, it needs to be repaired under the DEP Permit. Mrs. Allen stated that the property owner should be notified not to mow near the creek which has a 50 ft. buffer.

A MOTION was made by Mrs. Allen to repair the stormwater situation on Hamilton Road and request that John Barczyk notify the property owner to comply with the requirements of the easement, seconded Mrs. Simon and on Roll Call vote the following was recorded:

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

3. **Request for Release of Landscape Maintenance Bond for St. Elizabeth Ann Seton Church** (Block 95, Lot 15) – letter dated July 13, 2011 from Deacon Paul J. Santella

Engineer O’Brien stated that there is currently a performance bond in place for \$12,000 and recommends the release of this bond.

The following resolution was offered for consideration:

#R-2011-86

**TOWNSHIP OF READINGTON
 RESOLUTION**

WHEREAS, St. Elizabeth Ann Seton Church did on July 13, 2011 file a written request with the Township of Readington for a release of Performance Bond #105222347 in the amount of \$12,000.00 for work completed in connection with the landscape maintenance and public improvements; and

WHEREAS, the Township Engineer has confirmed that the work has satisfactorily been done by St. Elizabeth Ann Seton on said property; and

WHEREAS, the Township Engineer has recommended the release of the Performance Bond # 105222347, as indicated in his letter of July 21, 2011; and

| BOND OR CHECK | ORIGINAL BONDED AMOUNT | CURRENT REMAINING PERFORMANCE GUARANTEE | RECOMMENDED REDUCTION FOR WORK COMPLETED | REMAINING PEFORMANCE GUARANTEE |
|-----------------------|-------------------------------|--|---|---------------------------------------|
| Bond No. 105222347 | \$12,000.00 | \$12,000.00 | 100% | \$0 |
| TOTAL | \$12,000.00 | \$12,000.00 | 100% | \$0 |

| | | | | |
|--|--|--|--|--|
| | | | | |
|--|--|--|--|--|

Resolution #2011-86 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 Performance Bond # 105222347, as recommended by the Township Engineer; and

BE IT FURTHER RESOLVED, that authorization is given to the Township Clerk to forward copies of this Resolution approving the released amount to the applicant.

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

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

* 4. **Resolution Authorizing Award for Bid for Cooperative Resurfacing and Surface Treatment Program**

This matter was addressed under the Consent Agenda.

* 5. **Resolution to Extend Grace Period for Payment of Third Quarter 2011 Property Taxes**

This matter was addressed under the Consent Agenda.

* 6. **Firemen's Membership Application** – Tyler J. Wahler

This matter was addressed under the Consent Agenda.

* 7. **Amber Light Permits** (Ferreira Construction)

This matter was addressed under the Consent Agenda.

* 8. **Release of Developers Escrow** - Bellemead Development (\$472.93)

This matter was addressed under the Consent Agenda.

ADMINISTRATOR'S REPORT

Administrator Mekovetz stated that she had nothing further to report.

ATTORNEY'S REPORT

Attorney Dragan stated that she had nothing further to report.

ENGINEER'S REPORT

Engineer O'Brien reported that the pre-construction meeting for County Line Road is set for Wednesday and the job should hopefully be starting very soon thereafter.

Engineer O'Brien reported that the stop sign on Lazy Brook Road was originally on River Road about twelve years ago and was subsequently moved to Lazy Brook Road. Engineer O'Brien stated that back in 2005 there was a traffic survey done by the Police Department which concluded that the majority of traffic comes out of Lazy Brook Road, making a left toward Route 202 or coming back the other way and making a right. Engineer O'Brien stated that the police department recommended that if the stop sign is moved back to River Road, a yield sign off Route 202 should also be installed. Engineer O'Brien stated that also the bigger issue is the hedgerow on Lazy Brook and River Road that blocks the sight distance. Attorney Dragan stated that she believed there is an ordinance in place that addresses the maintenance of shrubs. Engineer O'Brien stated that he would look into that and also review the history of the minutes regarding the stop sign.

COMMITTEE REPORTS

Frank Gatti

Mayor Gatti reported that the Balloon Festival went well.

Mayor Gatti reported that he was presented an award on behalf of Readington Township for achieving Sustainable New Jersey from HART. Mr. Gatti also reported that on Friday he was on *Caucus New Jersey* with Steve Aduato to discuss energy savings for municipalities.

Julia Allen

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

Tom Auriemma

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

Donna Simon

Mrs. Simon reported the a complimentary letter was received from a resident on Jennifer Drive commending Scott Hulcher for going above and beyond to correct a drainage problem on her property.

Mrs. Simon reported there was a Mayor's meeting to review the Tax Assessor and Animal Control survey and Rob Walton will look into pricing and the feasibility of reallocating those services to the County.

Mrs. Simon reported that they are still gathering information and reaching out to more participants for the co-op and a meeting will take place on August 17th for those interested in joining in the co-op. Mrs. Simon reported she will be meeting with John Davenport from the County procurement to discuss what the County may be able to do regarding any services or assistance during this initiative. Mrs. Simon stated Rob Walton will be hosting a shared services presentation at the Freeholder meeting tomorrow.

COMMENTS FROM THE PUBLIC

There were none.

COMMENTS FROM THE GOVERNING BODY

There were none.

A MOTION was made by Mr. Auriemma to return to Executive Session, seconded by Mrs. Allen with a vote of ayes all, nays none recorded.

The Committee returned to Executive Session at 9:05 p.m.

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> |
|---|---|--|
| Raritan Valley Disposal..... | Contract Negotiations..... | Certain information at the discretion of Township Committee tonight...other information will be confidential |
| Professional Services..... | Contract Negotiations..... | “ “ “ |
| Solar Photovoltaic System Feasibility Study and RFP Development | | |
| Tilcon New York, Inc. v. Morris Co.. | Litigation..... | “ “ “ |
| Co-Op Pricing Council, et al. | | |
| 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. Allen to adopt this resolution, seconded by Mr. Auriemma with a vote of ayes all, nays none recorded.

The meeting reconvened at 10:05 p.m.

Executive Session:

Contract Negotiations / Raritan Valley Disposal

A **MOTION** was made by Mrs. Allen to extend the contract for trash hauling and recycling at the current year’s contract price of \$584,783.43 for one year with option 2 which institutes the Recyclebank program, seconded by Mrs. Simon and on Roll Call vote the following was recorded:

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

Contract Negotiations / Professional Services / Solar Photovoltaic System Feasibility Study and RFP Development

The following resolution was offered for consideration:

#R-2011-87

**TOWNSHIP OF READINGTON
RESOLUTION**

WHEREAS, there exists a need in the Township of Readington for Professional Services; and

WHEREAS, the Local Public Contract Law (*N.J.S.A. 40A:11-1 et seq.*) requires that the Resolution hiring a professional for professional services without competitive bids must be publicly advertised.

WHEREAS, the Chief Financial Officer has certified the availability of funds for these contracts; and

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

1. That the following contract has been awarded without competitive bidding as a "Professional Service" in accordance with *N.J.S.A. 40A:11-5(1) (a)* of the Local Public Contract Law because the services rendered or to be performed are by persons authorized by law to practice their profession:
 - Birdsell Services Group for Solar Photovoltaic System Feasibility Study and RFP Development for Renewable Energy Cooperative

| | |
|-------------------------|--------------------|
| Feasibility Study | \$ 5,000.00 |
| RFP Development Process | \$12,000.00 |
| Total | \$17,000.00 |

2. Copies of this Professional Service Contract are on file with the Municipal Clerk and are available there for public inspection.
3. This Resolution shall take effect immediately.

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

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

Litigation / Tilcon New York, Inc. v. Morris County Cooperative Pricing Council, et al.

A **MOTION** was made by Mrs. Allen requesting Attorney Robert Ballard to answer the appeal and defend the Township in this matter, seconded by Mrs. Simon and on Roll Call vote the following was recorded:

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

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.

As there was no further business, **A MOTION** was made by Mr. Auriemma at 10:15 p.m. to adjourn the meeting, seconded by Mrs. Simon with vote of ayes all, nays none recorded.

Respectfully Submitted:

Vita Mekovetz, RMC/MMC/RPPO
Municipal Clerk